

AGENDA

Regular Meeting

of the

CITY COUNCIL OF THE CITY OF TROY

JANUARY 5, 2004

CONVENING AT 7:30 P.M.

**Submitted By
The City Manager**

TO: The Honorable Mayor and City Council
Troy, Michigan

FROM: John Szerlag, City Manager

SUBJECT: Background Information and Reports

Ladies and Gentlemen:

This booklet provides a summary of the many reports, communications and recommendations that accompany your Agenda. Also included are suggested or requested resolutions and/or ordinances for your consideration and possible amendment and adoption.

Supporting materials transmitted with this Agenda have been prepared by department directors and staff members. I am indebted to them for their efforts to provide insight and professional advice for your consideration.

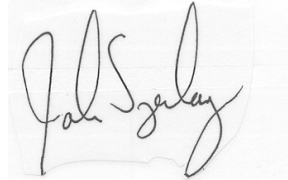
Identified below are goals for the City, which have been advanced by the governing body; and Agenda items submitted for your consideration are on course with these goals.

Goals

1. Minimize cost and increase efficiency of City government.
2. Retain and attract investment while encouraging redevelopment.
3. Effectively and professionally communicate internally and externally.
4. Creatively maintain and improve public infrastructure.
5. Protect life and property.

As always, we are happy to provide such added information as your deliberations may require.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John Szerlag", is written over a light gray grid background.

John Szerlag, City Manager



CITY COUNCIL

AGENDA

January 5, 2004 – 7:30 PM
Council Chambers
City Hall - 500 West Big Beaver
Troy, Michigan 48084
(248) 524-3317

CALL TO ORDER 1

INVOCATION & PLEDGE OF ALLEGIANCE – Pastor Henry Knight – Community of Christ 1

ROLL CALL 1

PRESENTATIONS: No presentations scheduled. 1

PUBLIC HEARINGS: No public hearings scheduled. 1

PUBLIC COMMENT: 1

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E-2 Minutes: Regular Meeting of December 15, 2003 2

E-3 Proposed City of Troy Proclamations: No proclamations presented. 2

E-4 Standard Purchasing Resolution 1: Award to Low Bidder – Contract No. 03-7 –
Dashwood, Minnesota to Dequindre – Storm Sewer 2

NOTICE: People with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk at (248) 524-3317 or via e-mail at clerk@ci.troy.mi.us at least two working days in advance of the meeting. An attempt will be made to make reasonable accommodations.

| | | |
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| E-6 | Standard Purchasing Resolution 1: Award to Low Bidder – Duct Cleaning of the Police Gun Range Ventilation System | 3 |
| E-7 | Revised Final Site Condominium Approval – Shady Creek South Site Condominium, North of Long Lake Road and West of Rochester Road – Section 10 – R-1B | 3 |
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| E-9 | Request for Acceptance of (1) Permanent Water Main Easement, Permanent Sanitary Sewer Easement and a Private Road Agreement – Fountain Park Troy, L.L.C. – Sidwell #88-20-14-351-002, 003 and 004 | 4 |

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| F-1 | Appointments to Boards and Committees: (a) Mayoral Appointments: (1) Board of Review and (2) Economic Development Corporation; and (3) Planning Commission & (b) City Council Appointments: (1) Advisory Committee for Persons with Disabilities; (2) Election Commission; (3) Ethnic Community Issues Advisory Committee; (4) Traffic Committee and (5) Troy Daze | 5 |
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| G-7 | Letters of Appreciation: | 15 |
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| (b) | Letter of Appreciation to Beverly J. Sackner Regarding Conference Room Usage by DCI Marking for their Holiday Party | 15 |
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| (d) | Letter of Appreciation to Officer Russell Barrows from Jerry and Sue Pavlat Thanking Him for the Concern and Assistance Regarding the Death of Their Son | 15 |
| (e) | Letter of Appreciation from James Snapp to Officer Brian LaForest Thanking Him for His Assistance in Completing His Requirements for His Field Project Class at Oakland Community College..... | 15 |
| (f) | Letter of Appreciation from Ruth Frushour – Baker Middle School Thanking Officer Nicolette Kaptur for Speaking to Her Health Class Students About Drug Prevention and Consequences..... | 15 |
| (g) | Letter of Appreciation from Kevin M. Sagan – Chief of Police, Madison Heights – Thanking Officers Ed Klute, Russ Barrows, Mark Cole and Paul Bednard for Participating with Their K-9's in the "Narcotics Sweep" of Madison District Schools | 15 |
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| (i) | Letter of Appreciation from W. David Tull – Chairman, Crestmark Bank Thanking Officer Jay Reynolds for the Excellent Presentation on Fraud Given at the Winter Michigan Bankers Association Conference..... | 16 |
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CALL TO ORDER

INVOCATION & PLEDGE OF ALLEGIANCE – Pastor Henry Knight – Community of Christ

ROLL CALL

Mayor Matt Pryor
Robin Beltramini
Cristina Broomfield
David Eisenbacher
Martin F. Howrylak
David A. Lambert
Jeanne M. Stine

PRESENTATIONS: No presentations scheduled.

PUBLIC HEARINGS: No public hearings scheduled.

PUBLIC COMMENT:

A. Items on the Current Agenda

Any person not a member of the Council may address the Council with recognition of the Chair, after clearly stating the nature of his/her inquiry. No person not a member of the Council shall be allowed to speak more than twice or longer than five (5) minutes on any question, unless so permitted by the Chair. The Council may waive the requirements of this section by a majority of the Council Members. Consistent with Order of Business #11, the City Council will move forward the specific Business Items which audience members would like to address. The Mayor shall announce the items which are to be moved forward and will ask the audience if there are any additional items which they would like to address. All Business Items that members of the audience would like to address will be brought forth and acted upon at this time. Items will be taken individually and members of the audience will address council prior to council discussion of the individual item.

B. Items Not on the Current Agenda

After Council is finished acting on all Business Items that have been brought forward, the public is welcome to address the Mayor and Council on items that are specifically not on the agenda. (Rules of Procedure for the City Council, Article 15 as amended September 22, 2003)

CONSENT AGENDA

The Consent Agenda includes items of a routine nature and will be approved with one motion. That motion will approve the recommended action for each item on the Consent Agenda. Any Council Member may remove an item from the Consent Agenda and have it considered as a separate item. Any item so removed from the Consent Agenda shall be considered after other items on the consent business portion of the agenda have been heard. (Rules of Procedure for the City Council, Article 13, as amended September 22, 2003)

E-1 Approval of Consent Agenda

Suggested Resolution

Resolution #2004-01-

Moved by

Seconded by

RESOLVED, That all items as presented on the Consent Agenda are hereby **APPROVED** as presented with the exception of Item(s) _____, which shall be considered after Consent Agenda (E) items, as printed.

Yes:

No:

E-2 Minutes: Regular Meeting of December 15, 2003

Suggested Resolution

Resolution #2004-01-

RESOLVED, That the Minutes of the 7:30 PM Regular Meeting of December 15, 2003, be **APPROVED** as submitted.

E-3 Proposed City of Troy Proclamations: No proclamations presented.

E-4 Standard Purchasing Resolution 1: Award to Low Bidder – Contract No. 03-7 – Dashwood, Minnesota to Dequindre – Storm Sewer

Suggested Resolution

Resolution #2004-01-

RESOLVED, That Contract No. 03-7, Dashwood Storm Sewer, Minnesota to Dequindre be **AWARDED** to ADJ Excavating, Inc., 47301 Feathered Court – Shelby Township, Michigan 48315 at an estimated total cost of \$613,449.87; and

BE IT FURTHER RESOLVED, That the award is **CONTINGENT** upon submission of proper contract and bid documents, including bonds, insurance certificates and all specified

requirements and if additional work is required such additional work is authorized in an amount not to exceed 10% of the total project cost.

E-5 Standard Purchasing Resolution 4: Tri-County Purchasing Cooperative Contract – Gasoline and Diesel Fuel

Suggested Resolution
Resolution #2004-01-

RESOLVED, That two-year cooperative contracts with an option to renew for two additional years for gasoline and diesel fuel from Mansfield Oil Company and Atlas Oil Company are hereby **APPROVED** through the City of Sterling Heights bid process and extended to the Tri-County Purchasing Cooperative at factors contained in the bid tabulation opened November 18, 2003, expiring on January 31, 2006, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

E-6 Standard Purchasing Resolution 1: Award to Low Bidder – Duct Cleaning of the Police Gun Range Ventilation System

Suggested Resolution
Resolution #2004-01-

RESOLVED, That a contract to provide the duct cleaning of the Police gun range ventilation system is hereby **AWARDED** to the low bidder, Sani-Vac Service, Inc., for an estimated total cost of \$13,000.00; and

BE IT FURTHER RESOLVED, That the award is **CONTINGENT** upon contractor submission of properly executed bid and contract documents, including insurance certificates and all other specified requirements; and if additional work is required that could not be foreseen, such additional work is authorized in an amount not to exceed 10% of the total project cost.

E-7 Revised Final Site Condominium Approval – Shady Creek South Site Condominium, North of Long Lake Road and West of Rochester Road – Section 10 – R-1B

Suggested Resolution
Resolution #2004-01-

RESOLVED, That the Revised Final Site Plan, as submitted under Section 34.30.00 of the Zoning Ordinance (Unplatted One-Family Residential Development) for the development of a One-Family Residential Site Condominium known as Shady Creek South Site Condominium as recommended for approval by City Management, located north of Long Lake Road and west of Rochester Road, Section 10, including 56 home sites, within the R-1B Zoning District, being 3.02 acres in size, is hereby **APPROVED**.

E-8 Approval of Subdivision Entrance Sign/Agreement – Sylvan Glen SubdivisionSuggested Resolution

Resolution #2004-01-

RESOLVED, That the sign application submitted by the Sylvan Glen Homeowners Association for the placement of a sign in the median of the intersection of Berwyck Drive and Long Lake Road is hereby **APPROVED** as to the design and materials proposed; and

BE IT FURTHER RESOLVED, That the agreement regarding the maintenance and liability coverage for the sign is also **APPROVED** and authorization is hereby **GRANTED** to the Mayor and City Clerk to sign the agreement on behalf of the City of Troy.

E-9 Request for Acceptance of (1) Permanent Water Main Easement, Permanent Sanitary Sewer Easement and a Private Road Agreement – Fountain Park Troy, L.L.C. – Sidwell #88-20-14-351-002, 003 and 004Suggested Resolution

Resolution #2004-01-

RESOLVED, That the Permanent Easement for water main, sanitary sewer and Private Road Agreement all being part of the Fountain Park Troy Condominium Development are hereby **ACCEPTED**; and

BE IT FURTHER RESOLVED, That the Mayor is **AUTHORIZED** to sign the Private Road Agreement on behalf of the City; and

BE IT FURTHER RESOLVED, That the City Clerk is hereby **DIRECTED TO RECORD** said documents with the Oakland County Register of Deeds, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

REGULAR BUSINESS

Persons interested in addressing the City Council on items, which appear on the printed Agenda, will be allowed to do so at the time the item is discussed upon recognition by the Chair (during the public comment portion of the agenda item's discussion). Other than asking questions for the purposes of gaining insight or clarification, Council shall not interrupt members of the public during their comments. For those addressing City Council, petitioners shall be given a fifteen (15) minute presentation time that may be extended with the majority consent of Council and all other interested people, their time may be limited to not more than twice nor longer than five (5) minutes on any question, unless so permitted by the Chair, in accordance with the Rules of Procedure of the City Council, Article 15, as amended September 22, 2003. Once discussion is brought back to the Council table, persons from the audience will be permitted to speak only by invitation by Council, through the Chair.

- F-1 Appointments to Boards and Committees: (a) Mayoral Appointments: (1) Board of Review and (2) Economic Development Corporation; and (3) Planning Commission & (b) City Council Appointments: (1) Advisory Committee for Persons with Disabilities; (2) Election Commission; (3) Ethnic Community Issues Advisory Committee; (4) Traffic Committee and (5) Troy Daze**

The appointment of new members to all of the listed board and committee vacancies will require only one motion and vote by City Council. Council members submit recommendations for appointment. When the number of submitted names exceed the number of positions to be filled, a separate motion and roll call vote will be required (current process of appointing). Any board or commission with remaining vacancies will automatically be carried over to the next Regular City Council Meeting Agenda.

The following boards and committees have expiring terms and/or vacancies. Bold red lines indicate the number of appointments required:

(a) Mayoral Appointments

Suggested Resolution

Resolution #2004-01-

Moved by

Seconded by

RESOLVED, That the following persons are hereby **APPOINTED BY THE MAYOR** with **COUNCIL APPROVAL** to serve on the Boards and Committees as indicated:

Board of Review

Mayor, Council Approval (3) – 3 years

James Hatch - Seeks reappointment

Term expires 01-31-2007

CURRENT MEMBERS

| NAME | TERM EXPIRES |
|--------------------|--------------|
| James Edward Hatch | 01/31/04 |
| Frank J. Howrylak | 01/31/06 |
| Eileen Turner | 01/31/05 |

INTERESTED APPLICANTS

| NAME | DATE APPLIED | DATE SENT TO COUNCIL |
|-------------------|--------------------------|----------------------|
| Freliga, Victor P | 11/25/02- 11/2004 | 12/02/02 |
| Pritzloff, Mark | 04/17/03- 04/2005 | 04/28/03 |

Economic Development Corporation

Mayor, Council Approval (9) – 6 years

Stuart F Redpath – Does not seek reappointment

Term expires 04-30-2009

Term expires 04-30-2009

Term expires 04-30-2009

CURRENT MEMBERS

| NAME | TERM EXPIRES |
|----------------------|--------------|
| Bluhm, Kenneth | 04/30/06 |
| Gigliotti, Robert S | 04/30/08 |
| Licari, Leger (Nino) | 04/30/04 |
| Parker, Michael | 04/30/07 |
| Redpath, Stuart F | 04/30/03 |
| Rocchio, James A. | 04/30/03 |
| Salgat, Charles | 04/30/04 |
| Sharp, John | 04/30/03 |
| Smith, Douglas | 04/30/05 |

INTERESTED APPLICANTS

| NAME | DATE APPLIED | DATE SENT TO COUNCIL |
|---------------------|---------------------------|----------------------|
| Almassian, Carolyn | 04/22/02-04/2004 | 05/06/02 |
| Baughman, Deborah L | 06/18/01-05/2003 | 07/09/01 |
| Chang, Jouky | 10/02/01-10/2003 | 10/15/01 |
| Chhaya, Dhimant | 09/26/02 | 10/07/02 |
| Hall, Patrick C | 01/26/01-06/12/01-05/2003 | 02/05/01-07/09/01 |
| Hoef, Paul V | 09/12/01-08/14/02-08/2004 | 09/17/01 |
| Freliga, Victor P | 11/25/02-11/2004 | 12/02/02 |
| Pritzloff, Mark | 04/17/03-04/2003 | 04/28/03 |
| Shah, Jayshree | 08/28/01 | 09/17/01 |
| Silver, Neil S | 08/11/00-06/20/01-05/2003 | 08/21/00-07/09/01 |
| Victor, Robert | 06/03/03-05/2005 | 06/16/03 |

Planning Commission

Mayor, Council Approval (9) – 3 years

Walter Storrs- Seeks reappointment

Term expires 12-31-2006

CURRENT MEMBERS

| NAME | TERM EXPIRES |
|-------------------------|--------------|
| Gary G. Chamberlain | 12/31/05 |
| Lynn Drake-Batts | 12/31/06 |
| Larry Littman | 12/31/04 |
| Amalfi Parker (Student) | 07/01/04 |
| Robert M. Schultz | 12/31/05 |
| Walter A. Storrs, III | 12/31/03 |
| Thomas Strat | 12/31/05 |
| Mark J Vleck (BZA Rep) | 12/31/04 |
| David T. Waller | 12/31/06 |
| Wayne C. Wright | 12/31/04 |

INTERESTED APPLICANTS

| NAME | DATE APPLIED | DATE SENT TO COUNCIL |
|------------------------|-----------------------------------|-----------------------------|
| Bertin, Leonard G. | 10/10/02 | 11/04/02 |
| Culpepper, Michael | 12/97 | |
| D'Anna, Philip | 02/08/99 | |
| Deel, Ryan | 05/17/01-06/25/01-05/2003 | 05/21/01-07/09/01 |
| Drake-Batts, Lynn | 05/13/03-05/2005 | 06/02/03-12/15/03 |
| Gauri, Kul | 07/03/03-07/2005 | 07/21/03 |
| Hall, Patrick C | 01/26/01-03/10/03-03/2005 | 02/05/01-03/17/03 |
| Hanna, Atef A | 10/28/02-10/2004 | 11/04/02 |
| Hoef, Paul V | 08/14/02-08/2004 | |
| Hyun, Yul Woong (Jeff) | 09/26/03-09/2005 | 10/06/03 |
| Joseph, Luke | 03/10/03-03/2005 | 03/17/03 |
| Kohut, Gary L | 02/17/03-02/2005 | 03/03/03 |
| Lang, Victoria | 07/09/01-06/16/03-06/2005 | 07/23/01 |
| Lin, Paul Chu | 05/22/00/6/17/03-06/2005 | 6/05/00-07/07/03 |
| Manetta, Pauline | 11/26/01 | 12/03/01 |
| Milia, Carmelo | 06/14/01-06/4/03-05/2005 | 7/09/01-06/16/03 |
| Nelson, Albert Taylor | | |
| Ogg, David | 02/9/99-04/16/01-06/09/03-05/2005 | 4/23/01-06/16/03 |
| Peard, James R | 11/25/02-06/9/03-05/2005 | 12/02/02-06/16/03 |
| Pritzloff, Mark | 04/17/03-04/2005 | 04/28/03 |
| Rocchio, James | 04/16/01 | 04/23/01 |
| Sawyer, Thomas G | 10/04/02-06/9/03-05/2005 | 11/04/02-06/16/03 |
| Shier, Frank | 02/18/03-02/2005 | 03/03/03 |
| Ullmann, Lon M | 03/19/01 | 04/09/01 |
| Wattles, Brian J | 07/10/01 | 07/23/01 |
| Wilberding, Bruce | 08/05/99-06/17/03-06/2005 | 07/07/03 |
| Yousif, Gary | 11/24/03-11/2005 | 01/05/04 |

Yes:

No:

(b) City Council AppointmentsSuggested Resolution

Resolution #2004-01-

Moved by

Seconded by

RESOLVED, That the following persons are hereby **APPOINTED BY THE CITY COUNCIL** to serve on the Boards and Committees as indicated:

Advisory Committee for Persons with Disabilities**Appointed by Council (9 Regular, 3 Alternates) – 3 years**

Term expires 11-01-2006 (Alternate)

Term expires 07-01-2004 (Student)
CURRENT MEMBERS

| NAME | TERM EXPIRES |
|---------------------------|--------------|
| Susan Robosan-Burt | 11/01/06 |
| Angela Done | 11/01/05 |
| Nancy Johnson | 11/01/06 |
| Leonard G. Bertin | 11/01/05 |
| Pauline Manetta | 11/01/06 |
| Dick Kuschinsky | 11/01/04 |
| Theodora House | 11/01/06 |
| Grace Yau (Student) | 07/01/04 |
| Dorothy Ann Pietron | 11/01/04 |
| Nada Raheb (Student) | 07/01/03 |
| Mark Pritzloff | 11/01/06 |
| Cynthia Buchanan | 11/01/04 |
| Kul B. Gauri | 11/01/05 |
| Jayshree Shah (Alternate) | 11/01/03 |

INTERESTED APPLICANTS

| NAME | DATE APPLIED | DATE SENT TO COUNCIL |
|--------------|--------------|----------------------|
| None on File | | |

INTERESTED STUDENT APPLICANTS

| NAME | DATE APPLIED | DATE SENT TO COUNCIL |
|--------------|--------------|----------------------|
| None on file | | |

Election Commission

Appointed by Council (3) – 1 year

Term expires 01-31-2004

Term expires 01-31-2004
CURRENT MEMBERS

| NAME | TERM EXPIRES |
|-----------------------|--------------|
| David C. Anderson (R) | 01/31/04 |
| Timothy Dewan (D) | 01/31/04 |
| Tonni L. Bartholomew | (Charter) |

INTERESTED APPLICANTS

| NAME | DATE APPLIED | DATE SENT TO COUNCIL |
|-------------------|------------------|----------------------|
| Brodbyne, Anju C. | 08/13/02-08/2004 | 08/19/02 |
| DeBacker, Deborah | 05/20/02-05/2004 | 06/03/02 |

| | | |
|---------------------|--|----------------------------|
| Gauri, Kul B | 08/26/99-07/3/03-07/2005 | |
| Larue, Patricia M | 08/12/02-08/2004 | 08/19/02 |
| Pritzloff, Mark | 04/17/03-04/2005 | 04/28/03 |
| Shah, Jayshree | 08/28/01 | 09/17/01 |
| Silver, Neil S | 06/9/03-05/2005 | 06/16/03 |
| Ziegenfelder, Peter | 12/07/00-06/11/01- 06/11/03-05/2005 | 12/18/00-07/09/01-06/16/03 |

Ethnic Community Issues Advisory Committee

Appointed by Council (9) – 3 years

Unexpired Term expires 09-30-05

CURRENT MEMBERS

| NAME | TERM EXPIRES |
|--------------------------|--------------|
| Kaitlyn Beyer (Student) | 07/01/04 |
| Anju C Brodbine | 09/30/05 |
| Amin Hashmi | 09/30/05 |
| Kara Huang (Student) | 07/01/04 |
| Tom Kaszubski | 09/30/05 |
| Padma Kuppa | 09/30/05 |
| Victoria Lang (Resigned) | 09/30/05 |
| Hailu S Robele | 09/30/05 |
| Oniell Shah | 09/30/05 |
| Flora M Tan | 09/30/05 |
| Charles Yuan | 09/30/05 |

INTERESTED APPLICANTS

| NAME | DATE APPLIED | DATE SENT TO COUNCIL |
|------------------------|-------------------------------|----------------------|
| Balasa, Violet-Viorica | 06/27/03 | 07/07/03 |
| Haight, Melissa | 10/18/02-10/2004 | 11/04/02 |
| Hyun, Yul Woong (Jeff) | 09/26/03-09/2005 | 10/06/03 |
| Kuschinsky, Dick | 06/19/03-06/2005 | 07/07/03 |
| Petrulis, Al | 02/11/03-07/31/03- 07/2005 | 02/17/03 |
| Pritzloff, Mark | 04/17/03-04/2005 | 04/28/03 |

Traffic Committee

Appointed by Council (7) – 3 years

Thomas Sawyer Resigned

Term expires 1-31-2006

CURRENT MEMBERS

| NAME | TERM EXPIRES |
|-----------------------------|--------------|
| Ryan J Deel | 01/31/05 |
| John Diefenbaker | 01/31/06 |
| Lawrence Halsey | 01/31/06 |
| Kaveri Korgavkar (Student) | 07/01/04 |
| Jan L. Hubbell | 01/31/05 |
| Richard A. Kilmer | 01/31/05 |
| Thomas G. Sawyer (Resigned) | 01/31/06 |
| Charles A. Solis | 01/31/06 |
| John Abraham | |
| Charles Craft | |
| William Nelson | |

INTERESTED APPLICANTS

| NAME | DATE APPLIED | DATE SENT TO COUNCIL |
|------------------------|---------------------------------------|----------------------------|
| Basmadjian, A. George | 03/06/02-03/2004 | 03/18/02 |
| Hanna, Atef A | 10/28/02-10/2004 | 11/04/02 |
| Hrynik, Thomas F | 10/01/00-06/14/01-06/09/03-05/2005 | 11/06/00-07/19/01-06/16/03 |
| Hyun, Yul Woong (Jeff) | 09/26/03-09/2005 | 10/06/03 |
| Minnick, Richard D II | 04/29/02-07/18/03-07/2005 | 05/06/02-08/04/03 |
| O'Brien, Robert J | | |
| Ogg, David | 02/09/99-04/16/01 06/09/03-05/2005 | 04/23/01 06/16/03 |
| Peard, James R | 06/9/03-05/2005 | 06/16/03 |
| Petrulis, Al | 02/11/03-07/31/03-07/2005 | 02/17/03-08/18/03 |
| Powers, Brian M | 10/15/02-10/2004 | 10/21/02 |
| Pritzloff, Mark | 04/17/03-04/2005 | 04/28/03 |
| Wright, Wayne C | 01/07/99-06/18/03-06/2005 | |
| Ziegenfelder, Peter | 12/07/00-06/11/01 06/11/03-05/2005 | 12/18/00/7/09/01-06/16/03 |

Troy Daze

Appointed by Council (9) – 3 years

Term expires 11-30-2004

Term expires 07-01-2003 Student

| NAME | TERM EXPIRES |
|--|--------------|
| Robert A. Berk | 11/30//03 |
| Sue Bishop (Deceased) | 11/30//04 |
| Jim D. Cyrulewski. | 11/30//04 |
| Cecile Dilley | 11/30//04 |
| Kessie Kaltsounis | 11/30//05 |
| Michael Gonda | 11/30//06 |
| William F Hall | 11/30//05 |
| Jeffrey Stewart (Rep to Parks/Rec Board) | 09/30/06 |
| Robert S. Preston | 11/30//05 |
| Cheryl A Whitton-Kaszubski | 11/30//03 |
| Jessica Zablocki (Student) | 07/01/03 |

INTERESTED APPLICANTS

| NAME | DATE APPLIED | DATE SENT TO COUNCIL |
|----------------------|---------------------------|----------------------|
| Asjad, Zarina J | 05/01/03-05/2005 | 05/05/03 |
| Freliga, Mary E | 11/25/02-11/2004 | 12/02/02 |
| Hashmi, Amin | 08/22/02-08/2004 | |
| Huber, Laurie G | 09/22/00-06/18/01-05/2003 | 09/22/00-07/09/01 |
| Musick, Marilyn K | 12/01/03-12/2005 | 12/15/01 |
| Pietron, Dorothy Ann | 07/10/01-07/2003 | 07/23/01 |
| Pritzloff, Mark | 04/17/03-04/2005 | 04/28/03 |
| Shier, Frank | 02/18/03-02/2005 | 03/03/03 |
| Wells, Alexandra | 08/22/02-08/2004 | 09/09/02 |

INTERESTED STUDENT APPLICANTS

| NAME | DATE APPLIED | DATE SENT TO COUNCIL |
|--------------|--------------|----------------------|
| None on file | | |

Yes:

No:

F-2 Closed SessionSuggested Resolution

Resolution #2004-01-

Moved by

Seconded by

BE IT RESOLVED, That the City of Troy City Council **SHALL MEET** in Closed Session, as permitted by MCL 15.268 (e); City of Troy v. Obertynski; City of Troy v. 2100 E. Maple Road;

City of Troy v. 1501 Halo; and City of Troy v. 1495 Mapleway, after adjournment of this meeting.

Yes:

No:

F-3 Allocation of Tri-Party Program Funds to Crooks Road Reconstruction, Square Lake to South Boulevard

Suggested Resolution

Resolution #2004-01-

Moved by

Seconded by

RESOLVED, That the City of Troy allotment for the 2004 Tri-Party Program is \$406,638.00 and that the City's share is \$135,546.00, and that these funds, along with the City of Troy's reserved FY 2002 and FY 2003 Tri-Party Program funds in the amounts of \$485,738.00 and \$351,726.00 respectively, with the City's share being \$279,155.00, **BE USED**, as required, for the Crooks Road, Square Lake to South Boulevard construction phase; and

BE IT FURTHER RESOLVED, That the unused 2004 Tri-Party Program funds **BE RESERVED** for projects that may occur during the year that Tri-Party funds qualify for use and are approved by City Council.

Yes:

No:

F-4 Confirmation of Appointment; Mrs. Sandra L. Kasperek as City Treasurer

Suggested Resolution

Resolution #2004-01-

Moved by

Seconded by

RESOLVED, That the appointment by the City Manager of Sandra L. Kasperek as City Treasurer of the City of Troy is hereby **CONFIRMED**.

Yes:

No:

F-5 Zoning Ordinance Text Amendment (ZOTA-180) – Articles 40.57.05, 40.57.06 – Height Limits for Amateur Radio Antennas

Suggested Resolution of City Council Text Amendment

Resolution #2004-01-

Moved by

Seconded by

RESOLVED, That the proposed Zoning Ordinance Text Amendments for Article XL GENERAL PROVISIONS be **AMENDED**, as recommended by City Management, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes:

No:

F-6 City Owned Surplus Parcels

Suggested Resolution

Resolution #2004-01-

Moved by

Seconded by

RESOLVED, That the City Council of the City of Troy **AUTHORIZES** City Management to proceed with obtaining informal quotations for the purpose of hiring independent fee appraisers for the appraisal of 29 City-owned surplus parcels.

Yes:

No:

F-7 Election Consolidation Legislation – Proposed Charter Amendments for April 5th 2004 Election

Suggested Resolution

Resolution #2004-01-

Moved by

Seconded by

RESOLVED, That Troy City Council **APPROVES** as to form the following proposed Charter amendments for the April 5th 2004 election:

1. Shall Section 3.4 of the Troy Charter be amended to modify the implementation of the new State legislation mandating four- year terms, effective with the 2005 election cycle, to allow for the continuation of staggering terms through the election of the Mayor and Council Members according to the following **odd year** November election schedule:

2005 Council Member- Four-Year Term Expiring 2009, Elect Two
2007 Mayor- Four-Year Term Expiring 2011, Elect One
2007 Council Member- Four-Year Term Expiring 2011, Elect Three
2007 Council Member- Two-Year Partial Term Expiring 2009, Elect One
2. Shall Section 7.9 of the Troy Charter, which requires “nomination petitions for candidates for regular City elections to be filed with the Clerk on or before 4 o’clock pm of the **twenty-eighth (28) day preceding the third Monday of February of each year**”, be replaced with “nomination petitions for candidates for regular City elections are to be filed with the Clerk on or before 4 o’clock pm of the **one hundredth (100th) day preceding the City election for each election year**”?

3. Shall Section 5.11 of the Troy Charter, which sets forth the requirements for citizens to effectuate changes to the City of Troy ordinances through an initiatory or referendary process, be amended to reduce the number of signatures from “**at least ten percent** of the registered electors of the City”, to “at least **2,000 signatures** of the registered electors of the City”?
4. Shall Section 5.11 of the Troy Charter, which sets forth the requirements for citizens to effectuate changes to the City of Troy ordinances through an initiatory or referendary process, be amended to increase the time period to gather signatures from “**twenty-one**” days prior to the filing of the petition to “**ninety** days prior to the filing of the petition”?
5. Shall Section 7.5.5 of the Troy Charter, which discusses term limits, be amended to delete “Any portion of a term served shall constitute one full term”?
6. Shall Section 12.1 of the Charter, which currently requires **sealed** bids to be obtained for all sales and purchases in excess of ten thousand dollars, be replaced with the requirement to obtain competitive bids through a traditional sealed bid procedure or alternative means, including but not limited to, electronic submission or reverse auction methods, providing the method used preserves the integrity of the competitive bid process?
7. Shall Section 3.8.5 of the Troy Charter be repealed to eliminate the requirement for the Mayor to send an annual proclamation to the U.S. Congress encouraging them to use their best efforts to amend the Constitution to require term limits on the U.S. Congress?

Yes:

No:

COUNCIL COMMENTS/COUNCIL REFERRALS

Items Advanced to the City Manager by Individual City Council Members for Placement on the Agenda: No items submitted

COUNCIL REFERRALS

REPORTS AND COMMUNICATIONS

G-1 Minutes – Boards and Committees:

- (a) Election Commission/Final – February 19, 2003
- (b) Personnel Board/Final – June 9, 2003
- (c) Brownfield Redevelopment Authority/Final – June 11, 2003
- (d) Planning Commission Joint Meeting/Final – October 28, 2003
- (e) Ethnic Issues Advisory Board/Final – November 4, 2003
- (f) Advisory Committee for Persons with Disabilities/Draft – November 5, 2003
- (g) Advisory Committee for Persons with Disabilities/Final – November 5, 2003
- (h) Advisory Committee for Senior Citizens/Final – November 6, 2003

- (i) Employees Retirement System Board of Trustees/Final – November 12, 2003
- (j) Downtown Development Authority/Final – November 19, 2003
- (k) Troy Daze/Draft – November 25, 2003
- (l) Planning Commission Special Study/Draft – December 2, 2003
- (m) Building Code Board of Appeals/Draft – December 3, 2003
- (n) Advisory Committee for Senior Citizens/Final – December 4, 2003
- (o) Ethnic Issues Advisory Board/Draft – December 9, 2003
- (p) Planning Commission/Draft – December 9, 2003
- (q) Employees' Retirement System Board of Trustees/Draft – December 10, 2003
- (r) Library Board/Draft – December 11, 2003

G-2 Department Reports:

- (a) 2003 Financial Summary - ***Hard copy available for viewing at the City Clerk's Office and Library***

G-3 Announcement of Public Hearings:

- (a) Rezoning Application (Z-597) – South Side of Long Lake Road – West of Rochester Road – Section 15 – R-1T to B-2 – **Scheduled for January 26, 2004**

G-4 Green Memorandums:

- (a) Community Center Recreation Pass Fees

G-5 Proposed Proclamations/Resolutions from Other Organizations: None submitted

G-6 Calendar

G-7 Letters of Appreciation:

- (a) Thank You Letter from the Hazel Park Police Department to Troy Police Officers Lt. Pappas, Sgt. Herpel, Sgt. Zielinski, Officer Hill, Officer Neubauer, Officer Quaiatto and Officer Meizinger
- (b) Letter of Appreciation to Beverly J. Sackner Regarding Conference Room Usage by DCI Marking for their Holiday Party
- (c) Letter of Appreciation to Chief Craft from James Snapp Thanking for the Police Department's Assistance in Completing the Requirements for His Field Project Class at Oakland Community College
- (d) Letter of Appreciation to Officer Russell Barrows from Jerry and Sue Pavlat Thanking Him for the Concern and Assistance Regarding the Death of Their Son
- (e) Letter of Appreciation from James Snapp to Officer Brian LaForest Thanking Him for His Assistance in Completing His Requirements for His Field Project Class at Oakland Community College
- (f) Letter of Appreciation from Ruth Frushour – Baker Middle School Thanking Officer Nicolette Kaptur for Speaking to Her Health Class Students About Drug Prevention and Consequences
- (g) Letter of Appreciation from Kevin M. Sagan – Chief of Police, Madison Heights – Thanking Officers Ed Klute, Russ Barrows, Mark Cole and Paul Bednard for Participating with Their K-9's in the "Narcotics Sweep" of Madison District Schools

- (h) E-mail to Mayor Pryor Thanking Officers Russell Barrows, Kirk Linton, Mark Livingston and Scott Salter for the Service and Dedication They Displayed in the Rescue of a Woman and Her Dog that Fell Into Sylvan Glen Lake
- (i) Letter of Appreciation from W. David Tull – Chairman, Crestmark Bank Thanking Officer Jay Reynolds for the Excellent Presentation on Fraud Given at the Winter Michigan Bankers Association Conference

G-8 Memorandum, Re: Letter from City Manager Szerlag to Don Jakeway, Director of Michigan Economic Development Corporation Civic Center/Conference Center Economic Feasibility

G-9 Travel Expense Report, Re: David Lambert – National League of Cities Meeting – Nashville, TN

G-10 Memorandum, Re: Brochure Explaining Ballot Issue Relative to Conference Center/Hotel Facilities

PUBLIC COMMENT

Public Comment is limited to people who have not addressed Council during the 1st Public Comment section (Rules of Procedure for the City Council, Article 5 (15), as amended May 6, 2002).

STUDY ITEMS

It is City Management's recommendation to recess the Regular meeting at this time and to immediately reconvene it in the Council Board Room to provide for a study environment. Additionally, it would be recommended that the Mayor request the City Clerk to post notice that the City Council meeting has been relocated to the Council Board Room.

H-1 IT Updates – Hanson Information Technology and Geographic Information Systems (GIS)

Respectfully submitted,

John Szerlag, City Manager

A Regular Meeting of the Troy City Council was held Monday, December 15, 2003, at City Hall, 500 W. Big Beaver Road. Mayor Pryor called the Meeting to order at 7:38 P.M.

The Invocation was given by Mayor Pro Tem Lambert and the Pledge of Allegiance to the Flag was given.

ROLL CALL

PRESENT: Mayor Matt Pryor
Robin E. Beltramini
Cristina Broomfield
David Eisenbacher
Martin F. Howrylak
David A. Lambert
Jeanne M. Stine

PRESENTATIONS:

A-1 (a) Mayor Pryor presented proclamations on behalf of the City of Troy to the 2003 Troy High School Boys Varsity Soccer Team recognizing their designation as Division I State Champions

PUBLIC HEARINGS

C-1 Rezoning Application A-518-B) Kresge Foundation – South Side of Big Beaver Road, West of Coolidge Highway - Section 30 – R-1C to O-1

Resolution #2003-12-627

Moved by Stine

Seconded by Lambert

RESOLVED, That the R-1C to O-1 rezoning request, located on the south side of Big Beaver Road, west of Coolidge Highway, Section 30, being 34,590 square feet in size is hereby **GRANTED**, as recommended by City Management and the Planning Commission.

Yes: All-7

PUBLIC COMMENT:

A. Items on the Current Agenda

E-8 Private Agreement for Rhode Island Estates – Project No. 01.947.3

Resolution #2003-12-628a

Moved by Eisenbacher

Seconded by Stine

RESOLVED, That the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and DeFlorio Homes Incorporated is hereby **APPROVED** for the installation of sanitary sewer, storm sewer, detention, water main, sidewalks, landscaping, soil erosion and paving on the site and in the adjacent right-of-way, and the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the documents, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes: All-7

E-9 Acceptance of (2) Warranty Deeds; (8) Permanent Easements and Final Street Vacation – Section 24 – Portion of Rhode Island Drive Abutting Lots 12, 13, 40 and 41 – Between Orpington Road and Big Beaver Road in Big Beaver Poultry Farms Subdivision

Resolution #2003-12-628b

Moved by Eisenbacher

Seconded by Stine

WHEREAS, A request has been received for the vacation of the 50-foot wide Rhode Island Drive right-of-way in the area extending south from Orpington Road, abutting Lots 12, 13, 40, and 41, of Big Beaver Poultry Farms Subdivision, as recorded in Liber 23, Page 14 of Oakland County Plats.

WHEREAS, Vacation of this portion of Rhode Island Drive shall be subject to the following conditions:

1. The City retain a 12-foot wide public walkway between Orpington Road and Rhode Island Estates Site Condominium, as illustrated on the Rhode Island Estates Site Condominium Plan, which received Preliminary Approval by City Council on April 14, 2003.
2. Road rights-of-way to be dedicated to the City of Troy to enable the development of Rhode Island Estates Site Condominium, which received Preliminary Approval by City Council on April 14, 2003.
3. The petitioner shall provide utility easements for existing Detroit Edison facilities and all other private utilities, as determined by the City Engineer, prior to final vacation.

WHEREAS, the following properties shall benefit from the requested street vacation:

20-24-352-031
20-24-352-054
20-24-352-055
20-24-377-013
20-24-377-037

20-24-377-038

NOW, THEREFORE, BE IT RESOLVED, That final action can now be taken as the three conditions have now been met:

1. The City retain a 12-foot wide public walkway between Orpington Road and Rhode Island Estates Site Condominium, as illustrated on the Rhode Island Estates Site Condominium Plan, which received Preliminary Approval by City Council on April 14, 2003.
2. Road rights-of-way to be dedicated to the City of Troy to enable the development of Rhode Island Estates Site Condominium, which received Preliminary Approval by City Council on April 14, 2003.
3. The petitioner shall provide utility easements for existing Detroit Edison facilities and all other private utilities, as determined by the City Engineer, prior to final vacation.

BE IT FURTHER RESOLVED, That the (2) Warranty Deeds, and the (8) Permanent Easements from DeFlorio Homes Incorporated and D. & G. Development and Construction Co. L.L.C., having Sidwell #88-20-24-377-013, 038 and #88-20-24-352-031, 055 are hereby accepted, and

BE IT FINALLY RESOLVED, That the portion of the 50-foot wide Rhode Island Drive right-of-way extending south from Orpington Road, abutting Lots 12, 13, 40, and 41, of Big Beaver Poultry Farms Subdivision, as recorded in Liber 23, Page 14 of Oakland County Plats be vacated excepting there from a 12-foot wide area, Being;

Part of the Southwest $\frac{1}{4}$ of Section 24, T. 2N., R. 11E, City of Troy, Oakland County, Michigan described as:

Part of Rhode Island Drive (50' wide) as platted in "Big Beaver Poultry Farms", as recorded in Liber 23, Page 14, of Oakland County, Michigan records, being part of the Southwest $\frac{1}{4}$ of Section 24, Town 2 North, Range 11 East, City of Troy, Oakland County, Michigan described as: Commencing at the South $\frac{1}{4}$ Corner of Section 24; thence North 89 degrees 41 minutes 57 seconds West 1249.44 feet along the South line of Section 24, also being the centerline of Big Beaver Road (204 feet wide); thence North 00 degrees 18 minutes 03 seconds East 102.00 feet to the North line of Big Beaver Road and being at the centerline of said Rhode Island Drive (50' wide) as platted; thence North 00 degrees 38 minutes 00 seconds East, along said centerline, 346.82 feet; thence South 89 degrees 42 minutes 45 seconds East, along the south line of lots 41, 42, & 43 of said plat, 325.00 feet to the southeast corner of said lot 43; thence North 00 degrees 38 minutes 00 seconds East, along the east line of lot 43, 289.00 feet; thence North 89 degrees 42 minutes 45 seconds West 319.00 feet to the Point of Beginning; thence continuing North 89 degrees 42 minutes 45 seconds West 11.69 feet; thence South 00 degrees 17 minutes 15 seconds West 114.50 feet to the north line of proposed Wyandotte Drive (60' wide); thence North 89 degrees 42 minutes 45 seconds West, along the said north line, 12.00 feet; thence North 00 degrees 17 minutes 15 seconds East 116.41 feet; thence North 25 degrees 37 minutes 52 seconds East 27.69 feet; thence North 00 degrees 38 minutes 00 seconds East 98.06 feet to the South line of Orpington Road (50' wide) extended as platted; thence South 89 degrees 42 minutes 45 seconds East, along said south line extended, 12.00 feet; thence South 00 degrees 38 minutes 00 seconds West 125.02 feet to the Point of Beginning. Containing 3043 Square Feet or 0.070 Acres.

Yes: All-7

F-5 Final Site Condominium Review – Rhode Island Estates Site Condominium – North Side of Big Beaver, East of John R – Section 24 – R-1E

Resolution #2003-12-629

Moved by Beltramini

Seconded by Lambert

RESOLVED, That the Final Site Plan as submitted under Section 34.30.00 of the Zoning Ordinance (Unplatted One-Family Residential Development) for the development of One-Family Residential Site Condominium, known as Rhode Island Estates Site Condominium, 19 units proposed, located on the north side of Big Beaver, east and west of Rhode Island, Section 24, within the R-1E Zoning District, be **APPROVED** as recommended by City Management.

Yes: All-7

F-3 (a) Civic Center Land Sales Ballot Proposal; (b) Charter Revision Ballot Proposals**(a) Civic Center Land Sales Ballot Proposal**

Resolution #2003-12-630

Moved by Beltramini

Seconded by Stine

RESOLVED, That Troy City Council **APPROVES** as to form the following proposed Charter amendment for the April 5th 2004 election:

Shall the City of Troy, Michigan, be authorized to convey seven acres of the Troy Civic Center site for the development of conference/hotel facilities?

Yes: Eisenbacher, Stine, Pryor, Beltramini, Broomfield

No: Howrylak, Lambert

MOTION CARRIED**(b) Charter Revision Ballot Proposal – No Council action taken at this time****COUNCIL COMMENTS/COUNCIL REFERRALS**

Items Advanced to the City Manager by Individual City Council Members for Placement on the Agenda:

2) Council Member Broomfield Would Like to Discuss the Feasibility of City-Owned Religious/Historical Displays on Civic Center Property

Resolution #2003-12-631

Moved by Broomfield

Seconded by Stine

RESOLVED, That City Council look at the **FEASIBILITY** of purchasing a city owned Nativity scene along with a Menorah and other holiday items and to **DIRECT** City Management to come back with prices and at that time City Council to decide if they wish for the City to purchase or for private contributions to be utilized to purchase the displays to be placed on the front lawn of City Hall.

Yes: Lambert, Stine, Broomfield

No: Howrylak, Pryor, Beltrami, Eisenbacher,

MOTION FAILED

Vote on Resolution to Reconsider Resolution #2003-12-620

Resolution #2003-12-632

Moved by Broomfield

Seconded by Beltrami

RESOLVED, That Resolution #2003-12-620, Moved by Lambert and Seconded by Stine, as it appears below be **RECONSIDERED** by City Council:

RESOLVED, That the City of Troy shall allow privately funded displays on the public property surrounding City Hall, in accordance with the following:

- 1. Applicants shall complete a City of Troy Special Event Permit, and shall provide all requested information.*
- 2. Applicants must address any safety or sanitary concerns of the City of Troy administration.*
- 3. The requested use must not interfere with other approved uses of the property.*
- 4. The display must have a secular purpose. The recognition of a holiday season in generic terms is acceptable, and would require the inclusion of non-religious holiday items (such as trees or Santa figures or bells, etc.), and also encourage the inclusion of items from more than one religion (such as a menorah and a nativity scene, etc.).*
- 5. The display must be located in areas traditionally considered to be a public forum, consistently open to the public, and used for assembly, communication and discussion of public questions by citizens.*
- 6. The display must be wholly funded by the private sector.*
- 7. There should be signs accompanying the display or exhibit stating that it is erected by a private entity, and that its presence does not constitute the City's endorsement of the entity or the display.*
- 8. The displays should be of a temporary nature.*
- 9. The placement of any religious symbols should not be in a preferential or predominant position. It is preferable to locate a crèche with "Seasons Greeting" banners, wreaths, toy soldiers, or other secular symbols.*

Yes: Lambert, Stine

No: Eisenbacher, Howrylak, Pryor, Beltrami, Broomfield

MOTION FAILED

Yes: Lambert, Stine, Beltramini, Broomfield, Eisenbacher, Howrylak
No: Pryor

MOTION CARRIED

Vote on Resolution to Postpone Reconsidered Resolution #2003-12-620

Resolution #2003-12-
Moved by Howrylak
Seconded by Eisenbacher

RESOLVED, That Reconsidered Resolution #2003-12-620 be **POSTPONED** until the Regular meeting scheduled for Monday, January 12, 2004 and that City Council Members forward their comments, suggestions and concerns to City Administration and other Council Members.

Vote on Resolution to Amend

Resolution #2003-12-633
Moved by Howrylak
Seconded by Eisenbacher

RESOLVED, That the Resolution to Postpone Reconsidered Resolution #2003-12-620 be **AMENDED** by **STRIKING** January 12, 2004 and **INSERTING** February 16, 2004.

Yes: Stine, Pryor, Beltramini, Broomfield, Eisenbacher, Howrylak
No: Lambert

MOTION CARRIED

Vote on Amended Resolution to Postpone Reconsidered Resolution #2003-12-620

Resolution #2003-12-634
Moved by Howrylak
Seconded by Eisenbacher

RESOLVED, That Reconsidered Resolution #2003-12-620 be **POSTPONED** until the Regular meeting scheduled for Monday, February 16, 2004 and that City Council Members forward their comments, suggestions and concerns to City Administration and other Council Members.

Yes: Pryor, Beltramini, Broomfield, Eisenbacher, Howrylak, Stine
No: Lambert

MOTION CARRIED

RECESS: 10:23 P.M. – 10:48 P.M.

G-4 Green Memorandums:

- (a) Zoning Ordinance Text Amendment (ZOTA –180) – Articles 40.57.06, 43.77.00 and 43.80.00 – Height Limits for Amateur Radio Antennas
- (b) City Owned Surplus Parcels

Noted and Filed

B. Items Not on the Current Agenda

CONSENT AGENDA

E-1 Approval of Consent Agenda

Resolution #2003-12-635-E-1
Moved by Beltramini
Seconded by Eisenbacher

RESOLVED, That all items as presented on the Consent Agenda are hereby **APPROVED** as presented with the exception of Items E-8 and E-9 which were considered under Public Comment A.

Yes: All-7

E-2 Minutes: Regular Meeting of December 1, 2003

Resolution #2003-12-635-E-2

RESOLVED, That the Minutes of the 7:30 PM Regular Meeting of December 1, 2003 be **APPROVED** as submitted.

E-3 City of Troy Proclamation:

Resolution #2003-12-635-E-3

RESOLVED, That the following City of Troy Proclamation be **APPROVED**:

- (a) Certificate of Recognition – Troy High School – 2003 Boys Soccer Team

E-4 Standard Purchasing Resolution 1: Award to Low Bidder – Sanitary Sewer Rehabilitation and Maintenance

Resolution #2003-12-635-E-4

RESOLVED, That a contract to provide Sanitary Sewer Rehabilitation and Maintenance is hereby **AWARDED** to the low bidder, Liquiforce Services (USA), Inc. for an estimated total cost of \$60,950.00, at unit prices contained in the bid tabulation opened November 25, 2003, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

BE IT FURTHER RESOLVED, That the award is **CONTINGENT** upon contractor submission of properly executed bid and contract documents, including bonds, insurance certificates and all other specified requirements; and if changes to the quantity of work is needed, the total arithmetic dollar value of all such changes does not exceed +/- 25% of the contract total and falls within budgetary limits.

E-5 Standard Purchasing Resolution 1: Award to Low Bidder – Library Chair Upholstery

Resolution #2003-12-635-E-5

RESOLVED, That a contract to upholster Library chairs and stools is hereby **AWARDED** to the low bidder, Michigan State Industries, at an estimated total cost of \$30,803.50, at unit prices contained in the bid tabulation opened December 3, 2003, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

BE IT FURTHER RESOLVED, That the award is **CONTINGENT** upon contractor submission of properly executed bid and contract documents, including insurance certificates and all other specified requirements.

E-6 Standard Purchasing Resolution 4: Macomb County Cooperative Purchasing Agreement – Fleet Vehicles

Resolution #2003-12-635-E-6

RESOLVED, That a contract to provide fleet vehicles from Signature Ford L-M Jeep Eagle is hereby **APPROVED** through a Macomb County Cooperative Purchasing Agreement at an estimated total cost of \$92,321.00.

E-7 Private Agreement for TCF Bank – Project No. 03.916.3

Resolution #2003-12-635-E-7

RESOLVED, That the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and TCF Bank is hereby **APPROVED** for the installation of watermain and paving on the site and in the adjacent right-of-way, and the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the documents, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

E-10 Acceptance of Two Permanent Easement from Wilson Real Estate, L.L.C. – Sidwell #88-20-29-201-019 – Project No. 03.935.3

Resolution #2003-12-635-E-10

RESOLVED, That the Permanent Easements for watermain and sanitary sewer from Wilson Real Estate, L.L.C., owner of property having Sidwell #88-20-29-201-019, are hereby **ACCEPTED; AND**

BE IT FURTHER RESOLVED, That the City Clerk is hereby **DIRECTED TO RECORD** said permanent easements with Oakland County Register of Deeds, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

E-11 Private Agreement for Wilson Real Estate Phase II – Project No. 03.935.3

Resolution #2003-12-635-E-11

RESOLVED, That the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and David Wilson is hereby **APPROVED** for the installation of sanitary sewer, detention, water main and soil erosion on the site and in the adjacent right-of-way, and the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the documents, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

E-12 Standard Purchasing Resolution 1: Award to Low Bidder – Section 10 – Water Main Replacement & Drainage Improvements – Contract No. 03-5

Resolution #2003-12-635-E-12

RESOLVED, That Contract No. 03-5, Section 10 Water Main Replacement & Drainage Improvements, be **AWARDED** to Gianetti Contracting Corporation, 6340 Sims Dr. - Sterling Heights, Michigan 48313 at an estimated total cost of \$935,916.41.

BE IT FURTHER RESOLVED, That the award is **CONTINGENT** upon submission of proper contract and bid documents, including bonds, insurance certificates and all specified requirements, and if additional work is required, such additional work is **AUTHORIZED** in an amount not to exceed 10% of the total project cost.

E-13 Standard Purchasing Resolution 4: Oakland County Cooperative Purchasing Agreement – Fleet Vehicles

Resolution #2003-12-635-E-13

RESOLVED, That contracts to provide fleet vehicles from Jorgensen Ford, Shaheen Chevrolet and Buff Whelan Chevrolet are hereby **APPROVED** through Oakland County Cooperative Purchasing Agreements at an estimated total cost of \$912, 888.77.

E-14 Standard Purchasing Resolution 1: Award to Low Bidder – Roof Replacement Sylvan Glen Pro Shop and Camp Ticonderoga

Resolution #2003-12-635-E-14

RESOLVED, That a contract to replace the roof at the Sylvan Glen Pro Shop and Camp Ticonderoga Restaurant is hereby **AWARDED** to the low bidder, Butcher and Baecker Construction Co., at an estimated total cost of \$49,900.00.

BE IT FURTHER RESOLVED, That the award is **CONTINGENT** upon contractor submission of properly executed proposal and bid documents, including bonds, insurance certificates and all other specified requirements; and if additional material is required that could not be foreseen, such additional material is **AUTHORIZED** for purchase in accordance with unit prices contained in the attached bid tabulation dated November 5, 2003, not to exceed 10% of the total project cost.

E-15 Transfer of Class C License by Ichibang Corporation, Inc.

(a) License Transfer

Resolution #2003-12-635-E-15a

RESOLVED, That the request from Ichibang Corporation, Inc., to transfer ownership of a 2003 Class C licensed business, located at 1129 E. Long Lake Rd. - Troy, Michigan, Oakland County from Peking City, Inc. [MLCC REQ ID # 229408] be considered for approval; It is the consensus of this legislative body that the application be **RECOMMENDED** for issuance.

(b) Approval of Agreement

Resolution #2003-12-635-E-15b

WHEREAS, The City Council of the City of Troy deems it necessary to enter agreements with applicants for liquor licenses for the purpose of providing civil remedies to the City of Troy in the event licensees fail to adhere to Troy Codes and Ordinances.

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Troy hereby **APPROVES** an agreement with Ichibang Corporation, Inc. which shall become effective upon approval of the request to transfer a Class C licensed business, located at 1129 E. Long Lake Rd., Troy, Michigan and the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the document, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

E-16 Detroit Edison v. City of Troy Public Works Department

Resolution #2003-12-635-E-16

RESOLVED, That the City Attorney is hereby **AUTHORIZED AND DIRECTED** to represent the City of Troy in any and all claims and damages in the matter of Detroit Edison v. City of Troy Public Works Department and to retain any necessary expert witnesses and outside legal counsel to adequately represent the City.

E-17 Michigan Municipal League Unemployment Group Agreement

Resolution #2003-12-635-E-17

RESOLVED, That the Membership Agreement between the Michigan Municipal League Unemployment Compensation Group Account and the City of Troy is hereby **APPROVED**, and

the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the document, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

E-18 Standard Purchasing Resolution 6: Authorization to Expend City Funds from the 2002 Homeland Security RRTN Grant

Resolution #2003-12-635-E-18

RESOLVED, That the Troy City Council does hereby **AUTHORIZE** the Troy Fire Department to expend funds in the amount of \$14,435.00 to the Thermo Electron Corporation for radiological detection and identification equipment.

BE IT FURTHER RESOLVED, That the funds will be **REIMBURSED** by the 2002 RRTN Homeland Security Grant.

REGULAR BUSINESS

F-1 Appointments to Boards and Committees: (a) Mayoral Appointments: (1) Economic Development Corporation; and (2) Planning Commission & (b) City Council Appointments: (1) Advisory Committee for Persons with Disabilities; (2) Board of Canvassers; and (3) Troy Daze

| |
|---------------------------------|
| (a) Mayoral Appointments |
|---------------------------------|

Resolution #2003-12-636

Moved by Pryor

Seconded by Beltramini

RESOLVED, That the following persons are hereby **APPOINTED BY THE MAYOR** with **COUNCIL APPROVAL** to serve on the Boards and Committees as indicated:

Planning Commission

Mayor, Council Approval (9) – 3 years

Lynn Drake-Batts

Term expires 12-31-2006

David T. Waller

Term expires 12-31-2006

Yes: All-7

| |
|--------------------------------------|
| (b) City Council Appointments |
|--------------------------------------|

Resolution #2003-12-637

Moved by Lambert

Seconded by Beltramini

RESOLVED, That the following persons are hereby **APPOINTED BY THE CITY COUNCIL** to serve on the Boards and Committees as indicated:

Board of Canvassers

Appointed by Council (4) – 4 years

Carole Webb

Term expires 12-31-2007

Yes: All-7

**Appointments Carried-Over as Item F-1 on the Next Regular City Council Meeting
Agenda Scheduled for January 5, 2004:**

Economic Development Corporation

Mayor, Council Approval (9) – 6 years

_____ Term expires 04-30-2009

_____ Term expires 04-30-2009

_____ Term expires 04-30-2009

Planning Commission

Mayor, Council Approval (9) – 3 years

_____ Term expires 12-31-2006

| |
|--------------------------------------|
| (b) City Council Appointments |
|--------------------------------------|

Advisory Committee for Persons with Disabilities

Appointed by Council (9 Regular, 3 Alternates) – 3 years

_____ Term expires 11-01-2006 (Alternate)

_____ Term expires 07-01-2004 (Student)

Troy Daze

Appointed by Council (9) – 3 years

_____ Term expires 07-01-2004 (Student)

F-2 Closed Session

Resolution #2003-12-638
Moved by Broomfield
Seconded by Beltramini

BE IT RESOLVED, That the City of Troy City Council **SHALL MEET** in Closed Session, as permitted by MCL 15.268 (e), Kaftan Enterprises Inc. v. City of Troy; City of Troy v. Rahaut, after adjournment of this meeting.

Yes: All-7

F-4 Cable Franchise Fee Class Action Lawsuit

Resolution #2003-12-639
Moved by Howrylak
Seconded by Beltramini

RESOLVED, That the City Attorney is hereby **AUTHORIZED** to retain Michael J. Watza, Kitch Drutchas, Wagner, DeNardis and Valitutti in the Catherine Norris and Kathleen Livingway v. the City of Troy, and also to pay any reasonable expenses incurred in defense of the matter.

Yes: All-7

Vote on Resolution to Add Item to Closed Session

Resolution #2003-12-640
Moved by Pryor
Seconded by Broomfield

RESOLVED, That the City of Troy City Council **SHALL MEET** in Closed Session, as permitted by MCL 15.268 (e), and **ADD** Catherine Norris and Kathleen Livingway v City of Troy to its agenda, after adjournment of this meeting.

Yes: Stine, Pryor, Beltramini, Broomfield, Eisenbacher, Lambert
No: Howrylak

F-6 Request for Study Session: Part 2 of Annual Goal and Objectives Discussion - Objectives

Resolution #2003-12-641
Moved by Beltramini
Seconded by Broomfield

RESOLVED, That a Study Session is **SCHEDULED** for 8:00 PM on January 7, 2004 in the Council Board Room of Troy City Hall – 500 W. Big Beaver for the purpose of having the second half of the annual goals and objectives discussion and to discuss the placing of religious displays on City owned property..

Yes: All-7

F-7 Troy v. JMJ Land Investment, L.L.C. (Rochester Road, South of South Boulevard)

Resolution #2003-12-642

Moved by Stine

Seconded by Lambert

RESOLVED, That the City of Troy City Council **APPROVES** the proposed consent judgment in the City of Troy v. JMJ Land Investment Company, L.L.C., condemnation case, and **AUTHORIZES** payment in the amounts stated therein, and further **AUTHORIZES** the City Attorney's Office to **EXECUTE** the consent judgment, which shall be **ATTACHED** to the original Minutes of this meeting.

Yes: All-7

F-8 Changes to Benefit Levels for Classified and Exempt Employees Hired after December 31, 2003; Revisions to Personnel Rules and Regulations

Resolution #2003-12-643

Moved by Eisenbacher

Seconded by Stine

RESOLVED, That the health insurance and pension benefit levels for Classified and Exempt employees are hereby **APPROVED** as recommended by City Management and the Personnel Board, and a copy shall be **ATTACHED** to the original Minutes of this meeting.

BE IT FURTHER RESOLVED, That the revision to the Personnel Rules & Regulations for Classified personnel is hereby **APPROVED**, as recommended by City Management and the Personnel Board, and a copy shall be **ATTACHED** to the original Minutes of this meeting.

Yes: All-7

F-9 Annual Banquets

Resolution #2003-12-644

Moved by Eisenbacher

Seconded by Howrylak

RESOLVED, That Mayor Pro Tem Lambert **WILL ACT** as Master of Ceremonies and Official Host that evening and work with the Community Affairs Department to ensure a first class event for the Annual 2004 Boards & Committees Appreciation Banquet (February 14, 2004); and

BE IT FURTHER RESOLVED, That Council Member Stine **WILL ACT** as Master of Ceremonies and Official Host that evening and work with the Community Affairs Department to ensure a first class event for the Annual 2004 Fire Fighters Appreciation Banquet (May 15, 2004).

Yes: All-7

COUNCIL COMMENTS/COUNCIL REFERRALS

Items Advanced to the City Manager by Individual City Council Members for Placement on the Agenda:

1) Resolution Opposing House Bill 4152 and Senate Bill 721 Related to Unfunded State Environmental Mandates

Resolution #2003-12-645

Moved by Howrylak

Seconded by Stine

WHEREAS, The City of Troy is a member of the Southeastern Oakland County Resource Recovery Authority (SOCRRA); and

WHEREAS, Since getting designated as the State's largest Clean Michigan Demonstration Community in 1991, SOCRRA member communities have spent roughly two-million dollars per year (without State financial assistance) to fund curbside recyclables collection programs; and

WHEREAS, SOCRRA member communities have spent an additional \$800,000 per year (without State financial assistance) to fund separate yard waste collection/composting programs—an unfunded mandate pursuant to P.A. 264 of 1990; and

WHEREAS, Recent legislative efforts, such as House Bill 4152 and Senate Bill 721, to impose surcharges on refuse disposed of in landfills will result in an additional local financial burden, in essence, a "garbage tax"; and

WHEREAS, Surcharge legislation could amount to a subsidy from environmentally active communities such as in SOCRRA to communities that have done little or nothing in the way of providing recyclables service; and

WHEREAS, The financial strain from surcharge legislation likely will result in SOCRRA members having to review the cost of the exemplary recycling programs in place for a decade.

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Troy opposes House Bill 4152 and Senate Bill 721 and opposes any additional unfunded State environmental mandates, including legislation that would impose a fee on refuse disposed in landfills and incinerators, unless such legislation specifically certifies that/or identifies how SOCRRA communities will not be financially harmed.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Senators Shirley Johnson, Liz Brater, Bruce Patterson, Raymond E. Basham, Mark Schauer, Martha Scott and Robert L. Emerson and Representatives John Pappageorge, Jerry O Kooiman, Gary Newell, Randy Richardville, Bill Huizenga, Jack Brandenburg, Barb Vander Veen and Joanne Voorhees.

Yes: All-7

3) Mayor Pryor has Requested an Ordinance Change That Would Give Refunds to Residents That Purchased Dog Licenses Where the Dog Expired During the Licensed Timeframe (Memo submitted in Agenda packet)

Resolution #2003-12-646

Moved by Pryor

Seconded by Eisenbacher

RESOLVED, That the ordinance amendment to Chapter 60 is hereby **ADOPTED**, a copy of this ordinance shall be **ATTACHED** to the original Minutes of this meeting.

Yes: All-7

REPORTS AND COMMUNICATIONS

G-1 Minutes – Boards and Committees:

- (a) Downtown Development Authority/Final – June 18, 2003
- (b) Local Development Finance Authority/Final – September 29, 2003
- (c) Liquor Advisory Committee/Final – October 13, 2003
- (d) Local Development Finance Authority/Final – October 13, 2003
- (e) Troy Daze/Final – October 28, 2003
- (f) Planning Commission-Special/Final – November 4, 2003
- (g) Liquor Advisory Committee/Final - November 10, 2003
- (h) Local Development Finance Authority/Final – November 10, 2003
- (i) Planning Commission/Final – November 11, 2003
- (j) Youth Council/Draft – November 12, 2003
- (k) Board of Zoning Appeals/Draft – November 18, 2003
- (l) Traffic Committee/Draft – November 19, 2003
- (m) Election Commission/Draft – December 4, 2003
- (n) Liquor Advisory Committee/Draft – December 8, 2003
- (o) Personnel Board/Draft – December 9, 2003

Noted and Filed

G-2 Department Reports:

- (a) Permits Issued During the Month of November 2003
- (b) Brownfield Redevelopment Authority – Financial Statements – June 30, 2003
- (c) Parks & Recreation Annual Report
- (d) Monthly Financial Report – November 3, 2003

Noted and Filed

G-3 Announcement of Public Hearings: None submitted

G-5 Proposed Proclamations/Resolutions from Other Organizations: None submitted

G-6 Calendar

Noted and Filed

G-7 Letters of Appreciation:

- (a) Letter of Appreciation and Congratulations from Peter Basso Associates to the Troy Police Department Recognizing their Efforts in Helping Make Troy the 12th Safest City in the U.S. with a Population of Over 75,000
- (b) Letter of Appreciation and Donation from Syhan Ngo to the City of Troy
- (c) Letter of Appreciation from Anne Servaites to Bob Robertson and Public Works
- (d) Letter of Congratulations from L. Brooks Patterson, Oakland County Executive Regarding the City of Troy's Designation as One of the Safest Cities in the United States
- (e) Letter of Appreciation from Shiva Sastry to Cindy Stewart Thanking Her and City Staff Regarding the Citizen's Academy

Noted and Filed

G-8 Memorandum, Re: Donations for Parks & Recreation Programs

Noted and Filed

G-9 Memorandum, Re: Correspondence from State Senator Laura M. Toy Regarding Issues Facing the Southeast Michigan Consortium on Water Quality

Noted and Filed

G-10 Report, Re: Michigan Municipal League – Annual Convention (Detroit) – Council Member Lambert

Noted and Filed

G-11 Memorandum, Re: State Revenue Sharing – Update

Noted and Filed

PUBLIC COMMENT**STUDY ITEMS – None Submitted**

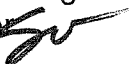
The meeting adjourned at 12:38 A.M.

Matt Pryor, Mayor

Tonni L. Bartholomew, MMC - City Clerk

December 8, 2003

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Gary A. Shripka, Assistant City Manager/Services
Steven J. Vandette, City Engineer 

SUBJECT: Standard Purchasing Resolution 1: Award to Low Bidder
Contract 03-7 – Dashwood, Minnesota to Dequindre – Storm Sewer

RECOMMENDATION

It is recommended that City Council award a contract for storm sewer construction on Dashwood, from Minnesota to Dequindre to ADJ Excavating, Inc., 47301 Feathered Court, Shelby Township, MI 48315 for their low bid of \$613,449.87; contingent upon submission of proper proposal and bid documents, including insurance certificates, bonds and all specified requirements.

In addition, we are requesting authorization to approve additional work, if needed, not to exceed 10% of the original project cost.

PROJECT INFORMATION

Bids were received and publicly read on November 25, 2003. The low bidder was ADJ Excavating, Inc., as can be seen in the attached tabulation of bids. A 48" diameter storm sewer will be installed along Dashwood from Minnesota to Dequindre. The project will require the removal and replacement of the existing pavement in this area. Localized drainage improvements will also be completed as part of the project. The contract specifies that the work would not start prior to January 5, 2003. All contract work, including final restoration and cleanup, is scheduled for completion by June 30, 2004.

The engineer's estimate for the project at the time of bidding was \$770,000.00. The bid is \$156,550.13 or 20.33% below the engineer's estimate.

FUNDING

Funds for this work are included in the 2003/04 Drains Fund, account number 401516.7989.003055. The project budget also includes Community Development Block Grant (CDBG) funds in the amount of \$286,553.44. The budgeted amount includes funds for construction, inspection and contingencies.

27 - Bids Sent / 15 - Bids Rec'd

CITY OF TROY
OAKLAND COUNTY, MICHIGAN
BID TABULATION FOR
CONTRACT NO. 03-7
DASHWOOD, MINNESOTA TO DEQUINDRE

| | <u>BIDDER</u> | <u>AMOUNT</u> |
|-----|---------------------------------|-----------------|
| 1. | ADJ Excavating, Inc. | \$ 613,449.87 |
| 2. | DOC Contracting, Inc. | \$ 622,201.85 |
| 3. | ABC Paving Co. | \$ 633,835.61 |
| 4. | Giannetti Contracting Corp. | \$ 634,084.57 |
| 5. | Dan's Excavating, Inc. | \$ 641,893.00 |
| 6. | Sunset Excavating, Inc. | \$ 670,472.54 |
| 7. | Angelo Iafrate Construction Co. | \$ 692,397.00 |
| 8. | Rainbow Construction Co. | \$ 701,789.85 |
| 9. | Peake Contracting, Inc. | \$ 706,822.00 |
| 10. | Mago Construction Co. | \$ 728,138.40 * |
| 11. | Underground Contr., Inc. | \$ 739,348.00 |
| 12. | Landmark Contracting Co. | \$ 768,138.00 |
| 13. | Anderzack-Pitzen Const. | \$ 773,910.00 |
| 14. | Troelsen Excavating Co. | \$ 795,710.00 |
| 15. | Pamar Enterprises, Inc. | \$ 809,325.00 |

* Corrected by Engineering for mathematical errors in contractor's bid sheet

Bid Opening Date: Tuesday, November 25, 2003

G:\Contracts\Contracts - 2003\03-7 Dashwood Storm Sewer\Bid Tab - Short.doc

December 18, 2003

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager
John M. Lamerato, Assistant City Manager/Finance & Administration
Jeanette Bennett, Purchasing Director

SUBJECT: Standard Purchasing Resolution 4: Tri-County Purchasing Cooperative Contract
Gasoline And Diesel Fuel

RECOMMENDATION

On November 18, 2003, the City of Sterling Heights obtained bids for two year requirements of gasoline and diesel fuel commencing February 1, 2004 on behalf of the Tri-County Cooperative Cities of Birmingham, Eastpointe, Farmington Hills, Livonia, Madison Heights, Novi, Rochester Hills, Royal Oak, St. Clair Shores, Southfield, Sterling Heights, Troy, Warren, Waterford, Wayne County Airport Authority, West Bloomfield Township and Westland. The Sterling Heights City Council approved the split award on December 16, 2003. Therefore, staff recommends the award of the lowest factors to the following bidders:

| Mansfield Oil Company | Truck Transport Delivery* | Pump Cost on 11/07/03 |
|------------------------------|----------------------------------|---|
| Type | Factor | Opis Avg.** + Factor + MUSTFA*** = Pump Cost |
| Unleaded Gasoline | \$.0069/gal | $0.8997 + .0069 + .00875 = .91535$ |
| Unleaded Mid-Grade | \$.0021/gal | $0.9388 + .0021 + .00875 = .94965$ |
| Unleaded Premium | (-) \$.00181/gal | $1.0124 - .0081 + .00875 = 1.01305$ |
| Premium Diesel #1 | \$.0196/gal | $1.0479 + .0196 + .00875 = 1.07625$ |
| Premium Diesel #2 | (-) \$.0004/gal | $0.9070 - .0004 + .00875 = .91535$ |
| Diesel #2 | \$.0121/gal | $0.8752 + .0121 + .00875 = .89605$ |

| Atlas Oil Company | Tank Wagon Delivery (Minimum: 250 gals./drop) | Pump Cost on 11/07/03 |
|---------------------------|--|---|
| Type | Factor | Opis Avg.** + Factor + MUSTFA*** = Pump Cost |
| Unleaded Gasoline | \$.14/gal | $0.8997 + .14 + .00875 = 1.04845$ |
| Unleaded Mid-Grade | \$.14/gal | $0.9388 + .14 + .00875 = 1.08755$ |
| Unleaded Premium | \$.14/gal | $1.0124 + .14 + .00875 = 1.16115$ |
| Premium Diesel #1 | \$.14/gal | $1.0479 + .14 + .00875 = 1.19665$ |
| Premium Diesel #2 | \$.14/gal | $0.9070 + .14 + .00875 = 1.05575$ |
| Diesel #2 | \$.14/gal | $0.8752 + .14 + .00875 = 1.02395$ |

*Truck Transport Delivery Minimum: 9,000 gals./drop with short load charges for deliveries between 5,000 gallons and 9,000 gallons

**Opis Average Opis is a benchmark price used to fix the price of a gallon of gas on the day of delivery.

** MUSTFA **MUSTFA** is the Michigan Underground Storage Tank Financial Assurance Fund and is a State of Michigan uniform charge per gallon of gas sold that is used to assist owners and operators of underground storage tanks remove leaking tanks.

Troy Usage: **Truck Transport** - 227,000 gallons Mid-grade Unleaded, 74,000 gallons Premium #2 Diesel; **Tank Wagon** - 4,000 gallons Mid-grade Unleaded, 4,000 gallons Premium Diesel #2

SUMMARY

The City of Sterling Heights has based the award on the lowest factor quoted per type of fuel delivery plus the OPIS Daily average for Detroit, Michigan. To find the exact cost of fuel on any date, the State of Michigan MUSTFA charge must also be added. Taking the sum of these three unit costs yields the final price paid for each gallon of gas or diesel. Since gasoline prices cannot be held firm for any length of time, this method allows both parties to enter into an adjustable contract for a lengthy period of time.

BUDGET

Funds for this contact are available in the Motor Pool Operating Budget.

Interoffice Memorandum

Date: December 19, 2003
Subject: Gasoline Contract Results
From: Janice Sierzenga, Purchasing Manager
To: All Members of the Cooperative Bid for Gasoline and Diesel Fuel

On December 16, 2003, the Sterling Heights City Council approved award of the bid for bulk truck transport deliveries of gasoline to Mansfield Oil Company and tank wagon deliveries of gasoline to Atlas Oil Company. Attached please find the Agenda Statement and Staff Report as well as the bid tabulation for this bid. Hard copies will be mailed to any cooperative member upon request. Any entities who are not members of the cooperative but who intend to "piggy-back" are requested to contact me to confirm whether or not they intend to continue using this contract.

You will notice that the bid tabulation includes adjustments to some vendors' prices because every vendor did not submit the same OPIS averages. To obtain a fair comparison, averages were adjusted for several vendors in order to base everyone on the same OPIS price report. Bid factors were not changed. Secondly, some vendors included MUSTFA fees (a mandatory service charge of \$0.00875 per gallon) in their bid factors, while others did not. Totals which did not include MUSTFA were adjusted to include it on the bid tabulation.

In addition to the Agenda Statement and bid tabulation, there is information from Mansfield Oil, which gives a background history of the company and references. I have checked references, including the Virginia Department of Transportation, who has used Mansfield Oil for several years in over 20 cities in Virginia. Other references include Northwest Airlines and American Airlines. Northwest Airlines has over 100,000 gallons of fuel delivered each month to various airports in the country. American Airlines has deliveries to locations in Miami, Los Angeles, Texas and Chicago. Both vendors are extremely happy with the service from Mansfield Oil. American Airlines had an auditor do a random check on various vendors used by the airline and were impressed with Mansfield Oil's reporting procedures. Accounts in Michigan have been primarily commercial accounts and include Penske, Allied Transportation, UPS, and Con-Way Transportation.

For your information, I have received confirmation from Mansfield Oil that representatives will be attending the next Tri-County meeting on Friday, January 16, 2004 in Troy.

If you have any questions, I can be reached at 586-446-2741.

JS/ks

Attachment

AGENDA STATEMENT

OMB AS03 Rev. 8/99

Item Title: Award of Cooperative Bid for Gasoline and Diesel Fuel**Submitted By:** Office of Purchasing**Contact Person/Telephone:** Janice Sierzenga, Purchasing Manager, 446-2741**Administration (initial as applicable)****Attachments**

| | | |
|---|-------------------------------------|-----------------------------------|
| <input type="checkbox"/> Finance & Budget Director | <input type="checkbox"/> Resolution | <input type="checkbox"/> Minutes |
| <input type="checkbox"/> City Attorney (as to legal form) | <input type="checkbox"/> Ordinance | <input type="checkbox"/> Plan/Map |
| <input type="checkbox"/> City Manager | <input type="checkbox"/> Contract | <input type="checkbox"/> Other |

☐ Check box if this agenda item requires billing/revenue collection (fees, etc.) by Treasury Office

Executive Summary:

The City of Sterling Heights hosts a cooperative gasoline bid that currently includes over 17 communities in the Macomb, Oakland and Wayne County areas. On November 18, 2003 bids were received with participation from the cities of Birmingham, Eastpointe, Farmington Hills, Livonia, Madison Heights, Novi, Rochester Hills, Royal Oak, St. Clair Shores, Southfield, Sterling Heights, Troy, Warren, Waterford, Wayne County Airport Authority, West Bloomfield Township and Westland. Bid factors were based on the Opus Daily Average for Detroit, Michigan on November 7, 2003. It should be noted, that Purchasing adjusted the bids of Atlas and Petroleum Traders which included MUSTFA (Michigan Underground Storage Tank) charges in their pricing. This adjustment was necessary for comparison purposes since not all bidders added the mandatory MUSTFA charges. The MUSTFA charges are uniform and will be charged regardless of the bidder selected. Prices charged to the municipalities fluctuate with the market conditions but are substantially lower than consumer pump prices.

Mansfield Oil Company is the low bidder for truck transport deliveries of over 5,000 gallons, and Atlas Oil Company is the low bidder for tank wagon deliveries of fewer than 5,000 gallons. Atlas has been our tank wagon vendor for the past four years and Mansfield Oil Company, a broker based out of Gainesville, Georgia, will make truck transport deliveries. Mansfield Oil Company currently has a number of commercial accounts in Michigan, including Penske, Allied Transportation, UPS, and Con-Way Transportation as well as a number of government contracts including the Virginia Department of Transportation, Army/Air Force Exchange, and Defense Energy Support Center.

This year, the Wayne County Airport Authority as well as the cities of Eastpointe, Rochester Hills and Westland were included in the totals, which increased the estimated usage by 1,076,000 gallons over the previous contract. A number of other nearby communities have also piggybacked off this contract in the past, including Clinton Township, Brownstown and Berkley.

Suggested Action:

MOVED BY:

RESOLVED, to award the cooperative bid for gasoline and diesel fuel deliveries on a split bid basis at unit prices as follows:

Mansfield Oil Company, 1025 Airport Parkway SW, Gainesville, GA 30501-0833, for truck transport deliveries at bid factors of:

| | | | |
|--------------------|---------------|-------------------|---------------|
| Unleaded Gasoline | \$0.0069/gal | Premium Diesel #1 | \$0.0196/gal |
| Unleaded Mid-Grade | \$0.0021/gal | Premium Diesel #2 | -\$0.0004/gal |
| Unleaded Premium | -\$0.0081/gal | Diesel #2 | \$0.0121/gal |

Atlas Oil Company, 24501 Ecorse Road, Taylor, MI 48180, for tank wagon deliveries at bid factors of:

| | | | |
|--------------------|------------|-------------------|------------|
| Unleaded Gasoline | \$0.14/gal | Premium Diesel #1 | \$0.14/gal |
| Unleaded Mid-Grade | \$0.14/gal | Premium Diesel #2 | \$0.14/gal |
| Unleaded Premium | \$0.14/gal | Diesel #2 | \$0.14/gal |

CITY OF STERLING HEIGHTS

STAFF REPORT

December 16, 2003

Prepared By: Janice Sierzenga, Purchasing Manager

Ext. No. 2741

GENERAL INFORMATION:

On November 18, 2003, bids were received and opened for delivery of gasoline and diesel fuel on a cooperative bid basis. Invitations to Bid were sent to the Chamber of Commerce, advertised on Cable Channel 5 and on the MITN website, and published in the Advisor/Source newspaper. Six vendors responded as outlined on the attached bid tabulation. Funds for this contract have been allocated in Org. #11717553 (Fleet Maintenance), Object #750000 (Fuels and Lubricants).

STAFF ANALYSIS AND FINDINGS:

I have reviewed the bids received and spoke to staff from Fleet Maintenance who has had no complaints in regard to Atlas Oil Company, our current tank wagon vendor, over the past four years.

Mansfield Oil Company currently works in over 49 states and holds extremely large contracts with several governmental entities including the Virginia Department of Transportation, Army/Air Force Exchange, Prince George Board of Education (which has over 1,200 school buses), and Defense Energy Support Center (locations throughout the United States), as well as a number of commercial accounts in Michigan. All references were favorable.

STAFF RECOMMENDATION:

RESOLVED, to award the cooperative bid for gasoline and diesel fuel deliveries on a split bid basis at unit prices as follows:

Mansfield Oil Company, 1025 Airport Parkway SW, Gainesville, GA 30501-0833, for truck transport deliveries at bid factors of:

| | | | |
|--------------------|---------------|-------------------|---------------|
| Unleaded Gasoline | \$0.0069/gal | Premium Diesel #1 | \$0.0196/gal |
| Unleaded Mid-Grade | \$0.0021/gal | Premium Diesel #2 | -\$0.0004/gal |
| Unleaded Premium | -\$0.0081/gal | Diesel #2 | \$0.0121/gal |

Atlas Oil Company, 24501 Ecorse Road, Taylor, MI 48180, for tank wagon deliveries at bid factors of:

| | | | |
|--------------------|------------|-------------------|------------|
| Unleaded Gasoline | \$0.14/gal | Premium Diesel #1 | \$0.14/gal |
| Unleaded Mid-Grade | \$0.14/gal | Premium Diesel #2 | \$0.14/gal |
| Unleaded Premium | \$0.14/gal | Diesel #2 | \$0.14/gal |

CITY OF STERLING HEIGHTS

BID TABULATION - NOVEMBER 18, 2003

**BULK TRUCK TRANSPORT AND TANK WAGON
DELIVERIES OF GASOLINE, LEADED AND UNLEADED, AND DIESEL FUEL**

TRUCK TRANSPORT

| <i>Item</i> | <i>Est Gal</i> | <i>Avg</i> | <i>Mansfield Oil</i> | | <i>Barrick Enterprises*</i> | | <i>RKA Petroleum*</i> | |
|------------------------|----------------|------------|----------------------|------------------|-----------------------------|------------------|-----------------------|------------------|
| | | | <i>Factor</i> | <i>Ext Total</i> | <i>Factor</i> | <i>Ext Total</i> | <i>Factor</i> | <i>Ext Total</i> |
| Unleaded Regular | 1,077,000 | 0.8997 | +0.0069 | \$976,408.20 | +0.0084 | \$978,023.70^ | +0.0119 | \$981,793.20^ |
| Unleaded Mid-Grade | 1,085,200 | 0.9388 | +0.0021 | \$1,021,064.68 | +0.0084 | \$1,027,901.44^ | +0.0119 | \$1,031,699.64^ |
| Unleaded Premium | 376,000 | 1.0124 | -0.0081 | \$377,616.80 | +0.0084 | \$383,820.80^ | +0.0119 | \$385,136.80^ |
| Diesel #1 | 185,000 | 1.0479 | +0.0196 | \$197,487.50 | +0.0142 | \$196,488.50^ | +0.0025 | \$194,324.00^ |
| Premium Diesel #2 | 541,000 | 0.9070 | -0.0004 | \$490,470.60 | +0.0142 | \$498,369.20^ | +0.0150 | \$498,802.00^ |
| Diesel #2 | 434,200 | 0.8752 | +0.0121 | \$385,265.66 | +0.0125 | \$385,439.34^ | +0.0150 | \$386,524.84^ |
| Totals | 3,698,400 | | | \$3,448,313.44 | | \$3,470,042.98^ | | \$3,478,280.48^ |
| Short load charge | | | | \$30.00 | | \$35.00 | | \$0.01/gal |
| MUSTFA included? | | | | no | | no | | no |
| Total including MUSTFA | | | | \$3,480,674.44# | | \$3,502,403.98# | | \$3,510,641.48# |
| Volume, SE MI | | | | 3,022,427 | | 80,000,000 | | 150,000,000 |
| Terms | | | | net 30 | | net 30 | | net 30 |
| Split order charge | | | | \$30.00 | | \$35.00 | | \$50.00 |

* Averages were adjusted to maintain continuity and to obtain a fair comparison price. Some totals may have changed.

^ Adjusted by Purchasing

Calculated by Purchasing

CITY OF STERLING HEIGHTS

BID TABULATION - NOVEMBER 18, 2003

BULK TRUCK TRANSPORT AND TANK WAGON DELIVERIES OF GASOLINE, LEADED AND UNLEADED, AND DIESEL FUEL

TRUCK TRANSPORT

| Item | Est Gal | Avg | Atlas Oil | | Petroleum Traders | | Spencer Oil* | |
|------------------------|-----------|--------|-----------|----------------|-------------------|----------------|--------------|-----------------|
| | | | Factor | Ext Total | Factor | Ext Total | Factor | Ext Total |
| Unleaded Regular | 1,077,000 | 0.8997 | +0.0148 | \$984,916.50 | +0.0162 | \$986,424.30 | +0.0300 | \$1,001,286.90 |
| Unleaded Mid-Grade | 1,085,200 | 0.9388 | +0.0148 | \$1,034,846.72 | +0.0104 | \$1,030,071.84 | +0.0300 | \$1,051,341.76 |
| Unleaded Premium | 376,000 | 1.0124 | +0.0148 | \$386,227.20 | +0.0098 | \$384,347.20 | +0.0300 | \$391,942.40 |
| Diesel #1 | 185,000 | 1.0479 | +0.0148 | \$196,599.50 | +0.0271 | \$198,875.00 | +0.0300 | \$199,411.50^ |
| Premium Diesel #2 | 541,000 | 0.9070 | +0.0148 | \$498,693.80 | +0.0352 | \$509,730.20 | +0.0300 | \$506,917.00^ |
| Diesel #2 | 434,200 | 0.8752 | +0.0148 | \$386,438.00 | +0.0271 | \$391,778.66 | +0.0300 | \$393,037.84 |
| Totals | 3,698,400 | | | \$3,487,721.72 | | \$3,501,227.20 | | \$3,543,937.40^ |
| Short load charge | | | | \$0.0050/gal | | \$0.05/gal | | \$0.005/gal |
| MUSTFA included? | | | | yes | | yes | | no |
| Total including MUSTFA | | | | included | | included | | \$3,576,298.40# |
| Volume, SE MI | | | | 240,000,000 | | 1,000,000 | | 25,000,000 |
| Terms | | | | net 30 | | net 30 | | net 30 |
| Split order charge | | | | \$0.0030/gal | | \$30.00 | | N/C |

* Averages were adjusted to maintain continuity and to obtain a fair comparison price. Some totals may have changed.

^ Adjusted by Purchasing

Calculated by Purchasing

CITY OF STERLING HEIGHTS

BID TABULATION - NOVEMBER 18, 2003

BULK TRUCK TRANSPORT AND TANK WAGON DELIVERIES OF GASOLINE, LEADED AND UNLEADED, AND DIESEL FUEL

TANK WAGON

| Item | Est Gal | Avg | Mansfield Oil | | Atlas Oil | | RKA Petroleum* | | Spencer Oil* | |
|------------------------|---------|--------|---------------|--------------|--------------|--------------|----------------|---------------|---------------|---------------|
| | | | Factor | Ext Total | Factor | Ext Total | Factor | Ext Total | Factor | Ext Total |
| Unleaded Regular | 174,000 | 0.8997 | +.1394 | \$180,803.40 | +.1400 | \$180,907.80 | +.1400 | \$180,907.80^ | +.1400 | \$180,907.80 |
| Unleaded Mid-Grade | 59,900 | 0.9388 | +.1346 | \$64,296.66 | +.1400 | \$64,620.12 | +.1400 | \$64,620.12^ | +.1400 | \$64,620.12 |
| Unleaded Premium | 0 | 1.0124 | +.1346 | \$0.00 | +.1400 | \$0.00 | +.1400 | \$0.00 | +.1400 | \$0.00 |
| Diesel #1 | 0 | 1.0479 | +.1598 | \$0.00 | +.1400 | \$0.00 | +.1400 | \$0.00 | +.1400 | \$0.00 |
| Premium Diesel #2 | 154,700 | 0.9070 | +.1298 | \$160,392.96 | +.1400 | \$161,970.90 | +.1400 | \$161,970.90^ | +.1400 | \$161,970.90^ |
| Diesel #2 | 38,700 | 0.8752 | +.1423 | \$39,377.25 | +.1400 | \$39,288.24 | +.1400 | \$39,288.24^ | +.1400 | \$39,288.24 |
| Totals | 427,300 | | | \$444,870.27 | | \$446,787.06 | | \$446,787.06^ | | \$446,787.06^ |
| Minimum delivery qty. | | | 100 gallons | | 150 gallons | | 250 gallons | | 250 gallons | |
| Short load charge | | | \$30.00 | | \$0.0050/gal | | \$0.01/gal | | \$0.005/gal | |
| MUSTFA included? | | | no | | yes | | no | | no | |
| Total including MUSTFA | | | \$448,609.15# | | included | | \$450,525.94# | | \$450,525.94# | |
| Volume, SE MI | | | 3,022,427 | | 240,000,000 | | 150,000,000 | | 25,000,000 | |
| Terms | | | net 30 | | net 30 | | net 30 | | net 30 | |
| Split order charge | | | \$30.00 | | \$0.0030/gal | | \$50.00 | | N/C | |

* Averages were adjusted to maintain continuity and to obtain a fair comparison price. Some totals may have changed.

^ Adjusted by Purchasing

Calculated by Purchasing

December 22, 2003

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Jeanette Bennett, Purchasing Director
Charles T. Craft, Chief of Police

RE: Standard Purchasing Resolution 1: Award To Low Bidder –
Duct Cleaning of the Police Gun Range Ventilation System

RECOMMENDATION

Bids were received for the Duct Cleaning of the Police Gun Range Ventilation System on December 19, 2003. City management recommends that the contract be awarded to the low total bidder, Sani-Vac Service, Inc., at an estimated total cost of \$13,000.00.

The duct cleaning shall be accomplished through the completion of all requirements established in the Specifications and Amendments for ITB-COT 03-35, Duct Cleaning City of Troy Police Gun Range Ventilation System.

The award is contingent upon the recommended bidder's submission of properly executed contract and bid documents, insurance certificates and all specified requirements. In addition, staff requests authorization to approve additional work if needed, due to unforeseen circumstances, not to exceed 10% of the total project cost.

SUMMARY

On May 8, 2002, the Police Department discovered mechanical problems and maintenance deficiencies with the gun range ventilation system. Subsequent analysis by Testing Engineers and Consultants, Inc. of Troy revealed areas of the Municipal Building with significant amounts of settled lead dust and lead contamination in the gun range ventilation system. In addition, measurements of air supply and exhaust quantities from the ventilation system were significantly below design values. TEC recommended further evaluation of the air handling system by a qualified air-balancing contractor. Due to the elevated quantities of lead dust in the system, TEC anticipated the need to decontaminate the ductwork to safely conduct further mechanical system evaluations.

National Abatement Corporation completed the remediation of elevated levels of lead containing dust around the Municipal Building on Thursday, July 24, 2003. Cleaning the gun range ventilation system is the second phase of a three phase plan. The Police Department intends to eliminate any potential health risk caused by exposure to range generated lead contaminants and make improvements to the ventilation system to return the gun range to operation.

Opening Date -- 12-19-03
Date Prepared -- 12-19-03

CITY OF TROY
BID TABULATION
DUCT CLEANING OF GUN RANGE VENTILATION

ITB-COT 03-35

Pg 1 of 1

| | | | | |
|---|--------------------|--------------------------|--|--|
| FIRM NAME: | * Sani-Vac Service | Indoor Air Professionals | | |
| | Inc | | | |
| CHECK NO. | 698890000 | 130329 | | |
| CHECK AMT. | \$2,000.00 | \$2,000.00 | | |
| PROPOSAL: TO FURNISH ALL SUPERVISION, PROFESSIONAL EXPERTISE, LABOR , MATERIALS, TOOLS, EQUIPMENT, ANALYSIS TESTING, MACHINERY, APPURTENANCES AND TECHNICAL SERVICES FOR DUCT CLEANING OF THE GUN RANGE VENTILATION SYSTEM IN ACCORDANCE WITH ALL SPECS | | | | |
| FURNISH DUCT CLEANING OF GUN RANGE VENTILATION SYSTEM | | | | |
| COMPLETE FOR THE SUM OF: | 11,500.00 | 23,280.00 | | |
| COMPLETION SCHEDULE: | | | | |
| Can meet | XX | XX | | |
| Cannot meet | | | | |
| DISPOSAL OF CONTAMINANTS: | | | | |
| Disposal Site | Spring Grove -Ohio | EQ | | |
| EPA Permit Number | OHD000816629 | MID9822606287 | | |
| SITE REVIEW: | | | | |
| Visted the site | XX | XX | | |
| Date | 8/13 & 12/8/03 | 12/10/03 | | |
| INSURANCE: | | | | |
| Can meet | XX | XX | | |
| Cannot meet | | | | |
| NATIONAL CERTIFICATION: | | | | |
| Employee: | John H. Line III | William Nardin | | |
| Certification: | ASCS | ASCS 02990772 | | |
| By National Organization: | NADCA | NADCA | | |
| Attachment Marked: | Item #1 | Page 6 | | |
| TERMS: | | | | |
| | Net 30 Days | 30 Days | | |
| COMPLETION DATE: | | | | |
| | Within 30 Days | As Per Specs | | |
| EXCEPTIONS: | | | | |
| | None | Blank | | |
| ADDITIONAL: ADDENDUM #1 | | | | |
| Inspection - Videotape etc. | 1,500.00 | 750.00 | | |
| ESTIMATED GRAND TOTAL: | * 13,000.00 | 24,030.00 | | |

NO BIDS:

Quality Temperature Inc

Direct Resources Ltd., Inc.

ATTEST:

Michael Lyczkowski

Charlene McComb

Linda Bockstanz

* DENOTES LOW TOTAL BIDDER

Jeanette Bennett
Purchasing Director



[Click Here to Return to the MITN Administration Main Menu](#)

Downloading History for ITB-COT 03-35 Duct Clean

The report below shows all fax and e-mail vendors that matched this document when it was originally issued. It also shows all vendors that have downloaded or ordered the document and any subsequent amendments as of 12/22/2003.

| | |
|--------------------------------------|--|
| Document Title: | Duct Cleaning of the Police Gun Range Ventilation System |
| Date Issued: | 11/25/2003 |
| Close Date: | 12/19/2003 |
| Date Amendment #1 was Issued: | 12/8/2003 |
| Date Amendment #2 was Issued: | 12/12/2003 |

Click on the table headings for "Account Number" or "Company name" to re-sort this report by that column. You may also click on any vendor account number to view their account information.

| <u>Acct #</u> | <u>Company Name</u> | <u>Service</u> | <u>Date Obtained Document</u> | <u>Date Obtained Amendments</u> |
|---------------|--|----------------|-------------------------------|---------------------------------|
| 14942 | A.F.Bellisario, Inc. | E-mail | | |
| 13998 | ABM Janitorial Services | Free | 11/26/2003 | |
| 11126 | Acme Maintenance Service, Inc. | Free | 12/1/2003 | |
| 12133 | Allied Building Service Company of Detroit, Inc. | E-mail | | |
| 15174 | America's Best Service, Inc. | Free | 12/1/2003 | |
| 10624 | Arctic Air, Inc. | E-mail | 11/26/2003 | |
| 13297 | At Your Service Cleaning Contractors Inc. | E-mail | | |
| 10661 | ATIGROUP | E-mail | | |
| 14182 | B2 INC | Free | 12/6/2003 | |
| 12903 | Bennett Design and Fabrication LLC | E-mail | | |
| 11794 | Best Technology Systems, Inc. | Free | 12/8/2003 | |
| 11860 | Cascade Water Services | E-mail | | |

| | | | | |
|-------|---|--------|------------|--------------------------------|
| 12856 | CCH Incorporated | Free | 12/1/2003 | |
| 12020 | Computer & Electronics Enterprises, Inc. | E-mail | | |
| 14019 | Cornerstone Landscape Design, Inc. | E-mail | | |
| 11122 | Crystal Bright Janitorial Services, Inc. | E-mail | | |
| 12287 | Demko Inc. | E-mail | 12/2/2003 | |
| 11363 | Detroit Electric Motor Works, Inc. | E-mail | | |
| 13387 | DJ Maintenance Corp. | Fax | 12/3/2003 | #1 12/8/2003 #2 12/12/2003 |
| 15050 | DMS Electric Apparatus Service, Inc. | E-mail | | |
| 10028 | ENTRAM CORP | Free | 11/26/2003 | |
| 15152 | EVERLASTING SHINE, INC. | E-mail | 11/28/2003 | |
| 12967 | Expert Auto Accents, Inc. | Fax | | #1 12/8/2003 #2 12/12/2003 |
| 14863 | FLAME FURNACE COMPANY | E-mail | | |
| 13051 | Flint-Genesee Economic Growth Alliance | Free | 12/5/2003 | |
| 13350 | Fred Lax Construction | E-mail | | |
| 10215 | Greater Detroit Heating & Cooling, Inc. | E-mail | | |
| 12309 | Horizon Painting Inc. | E-mail | 11/26/2003 | |
| 12686 | Ideal Building Supplies, LLC. | E-mail | | |
| 15222 | Indoor Air Professionals | Free | 12/5/2003 | #1 12/11/2003 #2 12/18/2003 |
| 12098 | Innovative Resources Group, Inc. | E-mail | | |
| 11884 | Mathisen Company | Fax | | #1 12/8/2003 #2 12/12/2003 |
| 11630 | Mercer Equipment Rentals | E-mail | | |
| 14655 | National Heating Co., Inc. | E-mail | 11/26/2003 | |
| 12599 | National Industrial Maintenance, Inc. | Free | 12/1/2003 | |
| 13420 | Nedrow Refractories Co. | E-mail | | |
| 13310 | North Star Refrigeration, Heating and Cooling | E-mail | | |
| 14089 | Northview Custom Homes, LLC | E-mail | 11/25/2003 | |
| 11073 | Oscar W. Larson Co. | E-mail | | |

| | | | | |
|-------|-----------------------------------|--------|------------|--------------------------------|
| | | | | |
| 11344 | Premium Sevices, Inc | E-mail | | |
| 12056 | Quality Temperature Inc. | E-mail | | |
| 12531 | Rohr gasoline equipment inc. | Fax | | #1 12/8/2003 #2 12/12/2003 |
| 10713 | Rumford Industrial Group, Inc. | E-mail | | |
| 11387 | Sani-Vac Service Incorporated | E-mail | 12/4/2003 | #1 12/11/2003 #2 12/12/2003 |
| 14420 | Sempra Energy Solutions | E-mail | | |
| 12681 | Services Unlimited | E-mail | | |
| 11622 | Siemens Industrial Services | E-mail | | |
| 13223 | Simpson Development Group | E-mail | | |
| 13730 | SMART Management Group, LLC | E-mail | | |
| 12106 | Success Enterprise | Free | 11/25/2003 | |
| 10909 | Sunglo Restoration Services | E-mail | | |
| 15364 | Supreme Heating & Supply Co., Inc | Free | 12/18/2003 | #1 12/18/2003 |
| 12181 | T-III, LTd. | Free | 12/12/2003 | |
| 10974 | The Avrie Group, Inc. | E-mail | | |
| 12630 | Thermal Engineering Corporation | E-mail | | |
| 13767 | Uniglobe Construction Company | E-mail | | |
| 13207 | Walbridge Aldinger Company | E-mail | | |
| 15267 | Winslow Heating and Cooling LLC | Free | 12/15/2003 | |

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[Return to Report Menu](#)

December 22, 2003

To: The Honorable Mayor and City Council
Re: Bid Award – Gun Range Duct Cleaning

SUMMARY - Continued

The duct-cleaning phase of the project will be accomplished as follows:

Prior to any cleaning, the contractor shall perform a visual inspection to determine the appropriate method, tools and equipment required to satisfactorily complete the project. The inspection shall be conducted without negatively impacting the indoor environment through the excessive disruption of settled dust or other debris.

Duct cleaning shall be achieved by removing visible surface contaminants and deposits within the HVAC system. Environmental engineering control measures shall be implemented as necessary.

Debris shall be collected and precautions taken to ensure it is not otherwise dispersed outside the HVAC system during the cleaning process. All dust, debris and wash water will be treated and disposed as lead contaminated hazardous waste.

The contractor shall provide the Police Department with a video recording of pre and post cleaning inspections of the HVAC system.

BUDGET

Funds are available in the City Hall/Emergency Repairs account
#401265.7975.050.

58 Vendors Notified on MITN System

2 Bid Responses Rec'd

2 No Bids: Companies schedules do not permit them to perform the work

Prepared By: Lieutenant Michael Lyczkowski
Cc: Captain Gary Mayer

December 22, 2003

TO: Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Gary A. Shripka, Assistant City Manager/Services
Nino Licari, City Assessor
Steve Vandette, City Engineer
Mark Miller, Planning Director

SUBJECT: REVISED FINAL SITE CONDOMINIUM APPROVAL – Shady Creek South Site Condominium, north of Long Lake Road and west of Rochester Road, section 10 – R-1B

BACKGROUND

Following approval of the final plan for Shady Creek South site condominium on August 4, 2003, City staff noted some boundary discrepancies on the plot plans that were submitted for building permits. When these plot plans were compared with the approved site condominium, some of the unit dimensions did not match the approved plan. After review of the discrepancies with the petitioner's engineer, it was determined that revisions to the site condominium boundaries occurred. Apparently, there were some assumptions made by the petitioner regarding City owned land that abuts Shady Creek South Site Condominium and the extra land area was to be part of a future development. The required boundary revisions resulted in two (2) units becoming slightly larger by 164 square feet and 2,467 square feet, two (2) units remained the same and one (1) unit is smaller, going from 23,798 square feet to 23,371 square feet, a difference of 427 square feet. The minimum lot/unit size for the R-1B zoning district is 15,000 square feet/13,500 square feet (lot averaging). The revised lot areas still comply with zoning ordinance requirements, while none of the lot/unit widths changed.

In addition to boundary revisions, the 100-year flood plain limit was revised to allow as much of the existing flood plain as possible to remain natural, especially with regard to preservation of large mature trees adjacent to the Houghton Drain. The preservation of existing trees was important to surrounding residents, so engineering staff worked with the petitioner's engineer to preserve most of the natural flood plain limit. The result was approximately two thirds of the flood plain being undisturbed and the existing trees preserved. The southern one third of the 100-year flood plain is part of the MDEQ and Oakland County Drain Commission permitted relocation of the Houghton Drain. These flood plain revisions are shown on the revised Final Plan for Shady Creek South Site Condominium.

RECOMMENDATION

City Management recommends approval of the Revised Final Plan for Shady Creek South Side Condominium.

GENERAL INFORMATION

Name of Owner / Applicant:

Mr. Ken Dabrowski of Durant Development Corporation and Nowak & Fraus, Consulting Engineers. It appears the owner is selling the development to Cherry Creek Development.

Location of subject property:

The property is located on the north side of Long Lake Road and the east side of Shady Creek Drive, between Livernois Road and Rochester Road, section 10.

Size of subject parcel:

3.02 acres.

Description of proposed development, including number and density of units:

The applicant is proposing a total of 5 single-family units, a density of approximately 0.6 units per acre.

Current use of subject property:

The property is presently vacant.

Current zoning classification:

The property currently has two different zoning classifications. The rectangular shaped portion of the lot fronting Shady Creek Drive, approximately 134 feet by 515 feet in size, is zoned R-1B One Family Residential. The units are located in the R-1B district. The remaining portion of the parcel is zoned R-1C One Family Residential.

ANALYSIS

Compliance with area and bulk requirements:

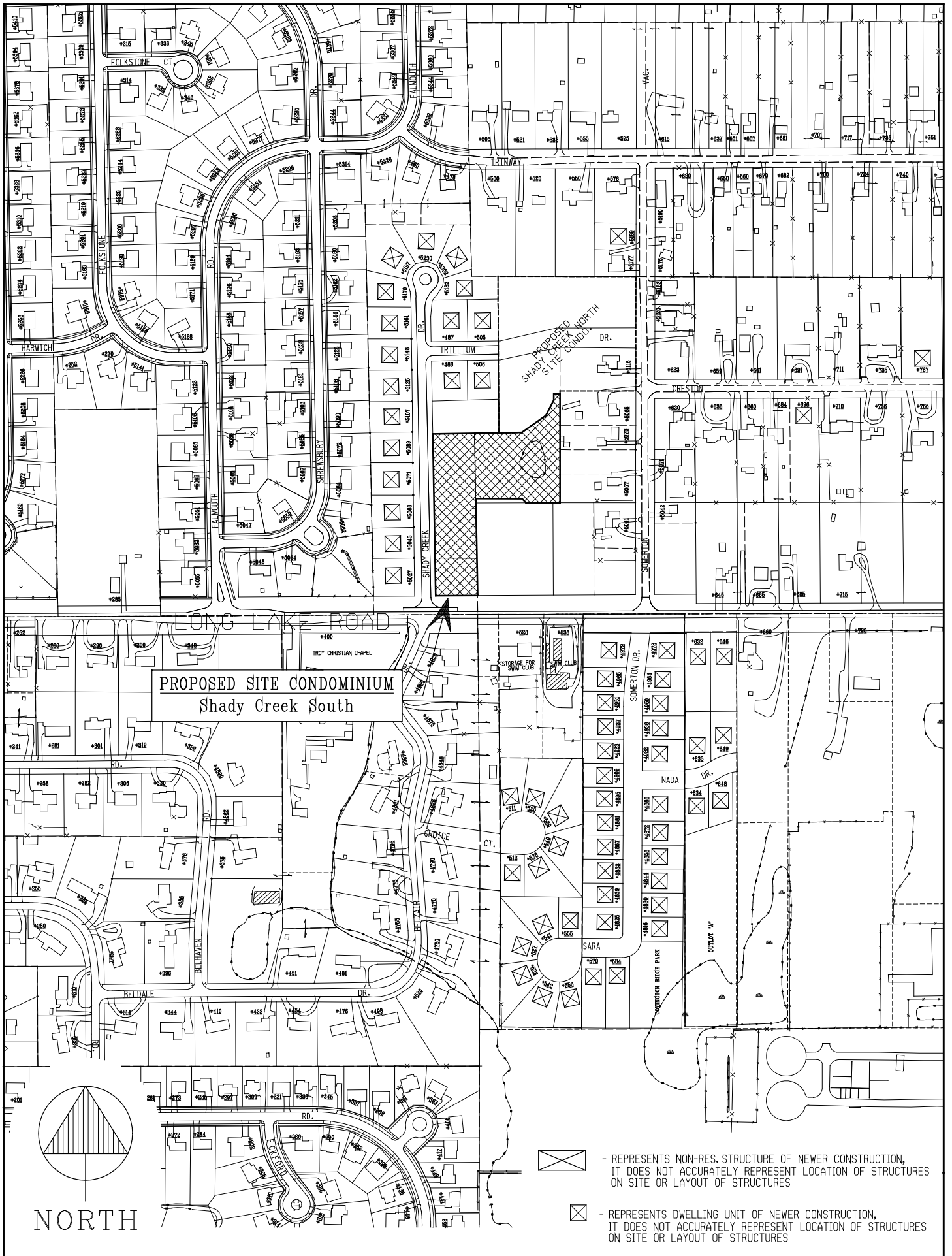
All of the units will be developed within the R-1B district. The requirements of the R-1B district, which are more restrictive than the R-1C district, will be applied. The revised plan meets all zoning ordinance requirements.

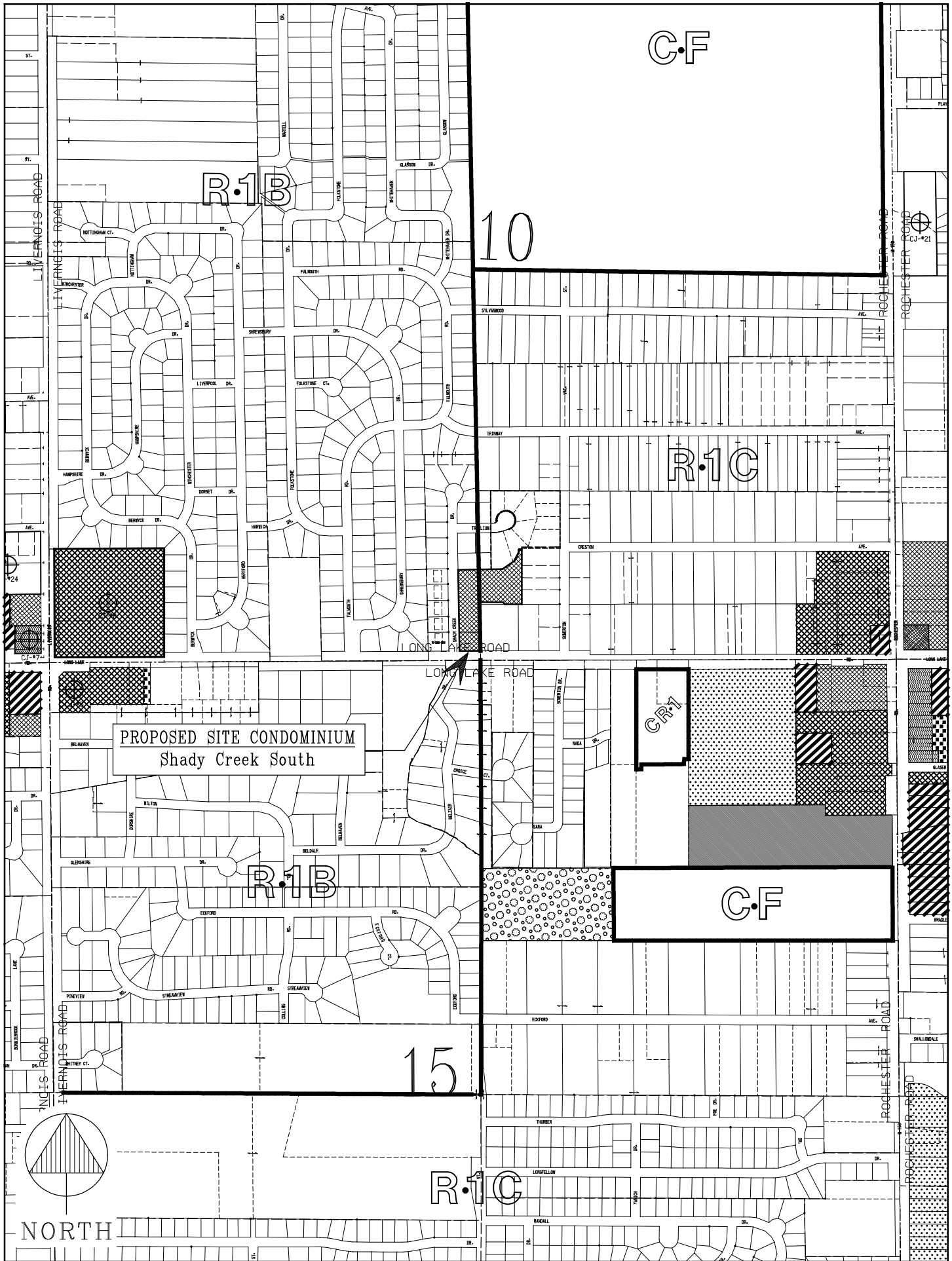
- Attachments:
1. Maps
 2. Nowak & Fraus letter
 3. Unplatted Residential Development Levels of Approval
 4. Comparison of Site Condominiums and Plats

cc: Ken Dabrowski, Applicant

CITY OF TROY







SITE PLAN REVIEW
SHADY CREEK SOUTH SITE CONDOMINIUM
N SIDE LONG LAKE, E SIDE SHADY CREEK
SEC. 10



SITE PLAN REVIEW
SHADY CREEK SOUTH SITE CONDOMINIUM

November 21, 2003

Mr. Mark Miller
City of Troy Planning Department
500 W. Big Beaver Road
Troy, MI 48084

Re: Shady Creek South Site Condominium

Dear Mr. Miller,

This letter is in response to the meeting held at the City of Troy on Tuesday, November 18, 2003, regarding the Shady Creek South Site Condominium. Mark Miller of the Planning Department, Mitch Gruznick of the Building Department, City Assessor Nino Licari, and Jeff Roman of Nowak & Fraus were present at the meeting. The City requested the meeting after finding discrepancies in the boundary and floodplain on the plot plans when comparing them to the approved site plan.

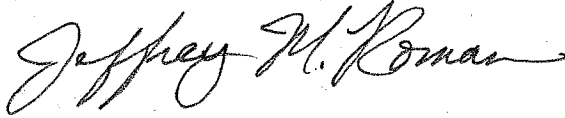
In the beginning stages of the Shady Creek North and South development, Durant Development Corporation discussed purchasing land owned by the City along Long Lake Road and directly east of their development. In order to maximize the buildable area, it was determined that a portion of Durant's property would need to be transferred from and combined with the City's property. Nowak & Fraus created new boundaries and continued with the approval process. At some point during the engineering review phase, the City decided not to sell the land to Durant. At that time, the plans should have been revised back to the original boundary for the Durant property, but never were. The mistake was not found until after the Master Deed was recorded and final approval had been granted by City Council. The Master Deed has since been amended and recorded at the Oakland County Register of Deeds.

The proposed floodplain line changed during the review of the engineering plans by Steve Vandette and Gary Streight of the City's Engineering Department. There was concern over the number of trees that would have been removed to grade the lots. This was a very sensitive issue with the surrounding residents, and the engineering department requested that the proposed floodplain line be moved closer to the homes to reduce the limits of grading and reduce the number of removed trees.

Included with this letter is the remainder of the documentation requested by the City to resolve these issues. If you have any questions, please do not hesitate to contact us.

Sincerely,

NOWAK & FRAUS, PLLC

A handwritten signature in cursive script that reads "Jeffrey M. Roman".

Jeffrey M. Roman, Project Engineer

cc: James Fraus, P.E., P.S., President
Albert Bayer, P.E., Vice President
Jeff Pioch, Platting Coordinator
Ken Dabrowski, Durant Development Corporation
Steven Wallace, Wallace & Wallace

NOWAK & FRAUS, PLLC

46777 WOODWARD AVENUE, PONTIAC, MI 48342 248.332.7931 VOICE 248.332.8257 FAX

UNPLATTED RESIDENTIAL DEVELOPMENT LEVELS OF APPROVAL

Preliminary Plan Approval

A sign is placed on the property informing the public of the proposed development.

Adjacent property owners are notified by mail

Public meeting held by **Planning Commission** for review and recommendation to City Council

City Council reviews and approves plan

The following items are addressed at Preliminary Plan Approval:

- Street Pattern, including potential stub streets for future development
- Potential development pattern for adjacent properties
- Fully dimensioned residential parcel layout, including proposed building configurations
 - Number of lots
 - Building setbacks
 - Lot dimensions
 - Locations of easements
- Preliminary sanitary sewer, storm sewer, and water main layout
- Environmental Impact Statement (if required)
- Location(s) of wetlands on the property

Final Plan Approval

Notice sign is posted on site

City Council review and approval of:

- Final Plan
- Contract for Installation of Municipal Improvements (Private Agreement)

The following items are addressed at Final Plan Approval:

- Fully dimensioned plans of the total property proposed for development, prepared by registered Civil Engineer or Land Surveyor
- Corners of all proposed residential parcels and other points as necessary to determine that the potential parcels and building configurations will conform with ordinance requirements
- Warranty Deeds and Easement documents, in recordable form for all ROW. and easements which are to be conveyed to the public
- Construction plans for all utilities and street improvements, prepared in accordance with City Engineering Design Standards:
 - Sanitary and Storm sewer
 - Water mains
 - Detention / Retention basins
 - Grading and rear yard drainage
 - Paving and widening lanes
 - Sidewalk and driveway approaches
- Approval from other government agencies involved with the development
- Verification of wetlands and M.D.E.Q. permit if necessary
- Financial guarantees to insure the construction of required improvements and the placement of proper property and parcel monuments and markers shall be furnished by the petitioner prior to submittal of the Final Plan to the City Council for review and approval
- Floor Plans and Elevations of the proposed residential units

COMPARISON BETWEEN SITE CONDOMINIUMS AND PLATS

The site condominium is a form of development that closely resembles the more traditional form of land subdivision known as a “subdivision” or a “plat”. Although both types of development have the same basic characteristics, site condominiums are a newer form of development and are not, therefore, as familiar to homebuyers and neighbors as the more customary plats. An important concept related to any type of condominium development is that condominiums are a form of OWNERSHIP, not a type of physical development.

The following summary is intended to compare and contrast the two types of development.

1. Comparisons between site condominiums and plats.

- a. **Statutory Basis** – Site condominium subdivisions first became possible under the Michigan Condominium Act, which was adopted by the Michigan Legislature in 1978. Plats are created under the Michigan Land Division Act, formerly the Michigan Subdivision Control Act of 1967.
- b. **Nature and Extent of Property Ownership** – An individual homesite building in a platted subdivision is called a “lot”. In a site condominium, each separate building site or homesite is referred to by the Condominium Act as a “unit”. Each unit is surrounded by “limited common area”, which is defined as common elements reserved in the master deed for the exclusive use of less than all of the co-owners”. The remaining area in the site condominium is “general common area”, defined as the common elements reserved in the master deed for the use of all of the co-owners. The nature and extent of ownership of a platted lot and a condominium unit, with the associated limited common area, are essentially equivalent from both a practical and legal standpoint.
- c. **Compliance with Zoning Ordinance** – Both site condominiums and subdivisions are required to comply with the minimum requirements of the City of Troy Zoning Ordinance for area and bulk, including minimum lot size, lot width, setbacks and building height. Essentially, site condominiums and subdivisions in Troy must “look” similar.
- d. **Creation/Legal Document** – A site condominium is established by recording in the records of the county in which the land is located a master deed, bylaws and condominium subdivision plan (“plan”). A platted subdivision is created by the recording of a subdivision plat (“plat”), usually coupled with a declaration of easements, covenants, conditions and restrictions. The plan depicts the condominium units and limited and general common areas, while the plat defines the lots. Both have

substantially the same geometrical appearance and characteristics. The master deed and bylaws on the one hand and the declaration on the other have essentially the same functions with respect to the site condominium or platted subdivision, namely, establishment of: (i) building and use restrictions; (ii) rights of homeowners to use common areas; (iii) financial obligations of owners; and, (iv) procedures for operation of the subdivision.

- e. **Home Maintenance and Real Estate Taxes** – Each unit and lot, as respectively depicted on a condominium plan or subdivision plat, together with any home located thereon, are required to be individually maintained by the owner. Likewise, separate real estate taxes are assessed on each condominium unit or platted lot and paid individually by each homeowner.
- f. **Roads and Utilities** – In most plats, roads are dedicated to the public and maintained by the county road commission or the municipality in which the subdivision is located. Site condominium roads can be either public or private. Sanitary sewer and water supply are public in both. Storm water detention can vary between public and private dedication in both platted and condominium subdivisions.
- g. **Common Areas** – In a site condominium, general common areas, such as open space, entrance areas and storm drainage system, are owned by condominium unit owners in common as an incident of ownership of each unit. In a platted subdivision, legal title to common areas is owned by a homeowners association. In both forms of development, a homeowners association administers the common areas for the benefit of all homeowners equally.
- h. **Homeowners Association** – It is important in both types of development to incorporate a homeowners association comprised of all lot owners or unit owners, as the case may be, to maintain common areas, enforce restrictions and regulations, collect assessments and otherwise administer the common affairs of the development. Because the Condominium Act confers special enforcement powers upon homeowner associations, which are not characteristic of platted subdivision associations, it is generally thought that the condominium form is superior from the standpoint of enforcing rules and regulations of the private community.
- i. **Financial Obligations of Homeowners** – In both types of development, the homeowners association is given the power to assess property owners to pay for maintenance of all common areas and other expenses of administration. Failure to pay give rise to a lien on the defaulting owner's homesite thus providing financial security that the common areas will be properly maintained for the benefit of all homeowners.

- j. **Public Relations** – The same types of public health, safety and welfare regulations apply to both forms of development. Procedurally, the methods of applying for and obtaining plat or condominium plan approval are similar at the municipal level.
- k. **Unique Characteristics of Condominium Unit Purchase** – The Condominium Act provides special benefits for site condominium unit purchasers: (i) a 9-day period after signing a purchase agreement within which a purchaser may withdraw without penalty; and (ii) a requirement that all condominium documents, supplemented by an explanatory disclosure statement, be furnished to all purchasers at the time of entry into a purchase agreement. There are no similar benefits to purchasers provided under the Land Division Act.
- l. **Local and State Review** – Both development types require City Council approval, following a recommendation by the Planning Commission. Unlike subdivisions, site condominiums do not require the review and approval of the Michigan Department of Consumer and Industry Services. For this reason it can sometimes take a substantially shorter period of time to obtain necessary public approvals of site condominiums than platted subdivisions.

2. Reason for choosing one form versus another.

Developers and municipalities often prefer the site condominium approach because of better control of market timing. It should be emphasized that the site condominium choice never sacrifices any public protections that would otherwise be present in the case of a platted subdivision under similar circumstances.

3. Conclusion.

The platted subdivision approach and the newer site condominium technique are two different statutory methods of reaching essentially the same practical and legal result of subdividing real estate into separate residential building sites. Both methods are required to meet substantially the same public health, safety and welfare requirements. The site condominium is sometimes chosen over the platted subdivisions because of perceived benefits to purchasers, homeowners, and developers.

DATE: December 19, 2003

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Gary A. Shripka, Assistant City Manager/Services
Lori Grigg-Bluhm, City Attorney
Mark Stimac, Director of Building and Zoning

SUBJECT: Approval of Subdivision Entrance Sign/Agreement
Sylvan Glen Subdivision

In November of 2001, City Council made revisions to the Sign Ordinance that allowed for the placement of subdivision entranceway signs in the medians of public streets. Those revisions required that in order to place a sign within a median, City Council must approve the sign design and materials. It also requires the submission of an agreement for the maintenance and liability for the sign. Staff is currently working with a number of homeowner associations developing the language, process and procedures for these agreements.

At this time we have completed work on a sign proposed by the Sylvan Glen Homeowners Association. The sign, primarily comprised of a carved boulder, is proposed to be located in the median at the intersection of Berwyck and Long Lake Road. Staff has reviewed the design of the sign as well as the language of the agreement and the supporting documentation and recommends approval.

We will be happy to answer any questions that you may have regarding this request.



SIGN PERMIT APPLICATION

CITY OF TROY
DEPARTMENT OF BUILDING INSPECTIONS
500 W. BIG BEAVER ROAD
TROY, MICHIGAN 48064
Phone: 248-524-3344
Fax: 248-689-3120

SIGN

Date: 9/25

Project Information

Job Address: BERWICK @ LAKESIDE Suite # _____ Sidwell # _____
Property Owner: Sylvan Glen Homes Address: _____ Phone # 248.579-2611
Type of Sign: ☒ Ground ☐ Wall ☐ Special Event ☐ Sign Renewal Zoning District: W-2
Sq. Ft. Area of Front of Building Structure: _____ Land Area (if parcel is vacant): _____
Sign Size: 6 Width 5'6" Height 30" 2.5' = 15' Sq. Ft. Area: 10' x 12' from sidewalk
Ground Sign: Height from grade to top of sign 30" Distance from ultimate right-of-way 28' 30"
Are other signs located on property? ☒ No ☐ Yes Type _____ Size _____
Copy on sign: Sylvan Glen

Illuminated Sign ☐ Yes ☒ No

Electrical Connections by: _____

SIGN PERMIT FEE SCHEDULE

| Size | Wall Sign Painted on Wall | Wall Sign Structurally Attached | Ground Sign |
|--------------------|------------------------------|------------------------------------|-------------|
| Under 100 sq. ft. | \$ 75.00 | \$ 100.00 | (\$ 125.00) |
| 100 to 199 sq. ft. | \$100.00 | \$ 125.00 | \$ 150.00 |
| 200 to 300 sq. ft. | \$ 100.00 | \$150.00 | \$ 175.00 |
| Special Event | | \$30.00 | |

Applicant/Contractor Information

CONTRACTOR

Name: PAUL MARCIAL & ASSOC. Phone: 586.530.4493 Fax: 586-446-9749
Address: 38719 Sumpter DR. City: Sterling Hts. State: MICH Zip: 48310
Signature of Applicant: Paul A. Marcial License # NDS001597
Mich. Dept. Agriculture

FOR OFFICE USE ONLY:

HO. ASSOC Rep - SANDY UNSWORTH home 248-879-2611 WORK 248-528-3300
Variance Granted? ☐ No ☐ Yes Date: _____

Special Stipulations

Date approved: _____

Fee: _____ Approved by: _____

RECEIVED

SEP 29 2003

BUILDING DEPARTMENT

Exhibit A

BERWICK

ORN. GRASSES

SPIREA

DAYLILY

DENI YEW

AMELANCHIER

HOSTA

LEDGEROCK SIGN

BLUEBERRY JUNIPER

10' to 12' from sidewalk

GROUND COVER

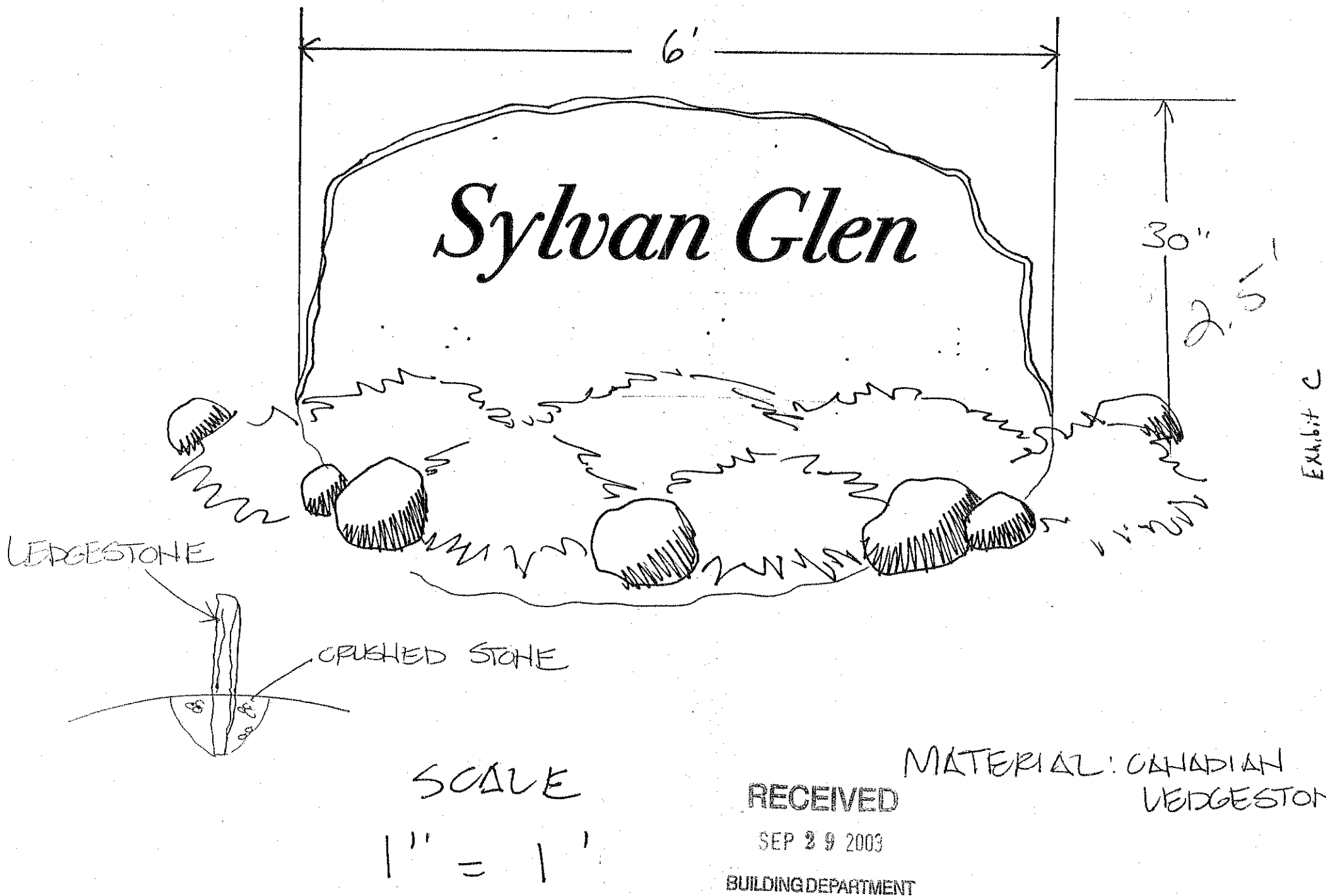
RECEIVED

SEP 29 2003

BUILDING DEPARTMENT

E Long LAKE

Exhibit B



RECEIVED

SEP 29 2003

BUILDING DEPARTMENT

MATERIAL: CANADIAN
LEDGESTONE

EXHIBIT C

RESIDENTIAL DEVELOPMENT RIGHT-OF-WAY SIGN AGREEMENT

This Agreement is entered into on this 5TH day of Dec., 2003,
between the City of Troy, a Michigan Municipal Corporation, 500 W. Big Beaver Road,
Troy, Michigan 48084 (hereinafter referred to as the "City") and Sylvan Glen
Homeowners Association, whose address is 488 Trillium Dr., Troy,
Michigan 48085, (hereinafter referred to as the "Residential Development").

Recitals

A. The Residential Development desires to erect an identification sign for the residential development pursuant to and in compliance with the City of Troy Code of Ordinances, specifically Chapter 78, Section 7.01.01 (Signs in Right-of-Way). A Sign Permit Application has been submitted to the Building Department and a copy is attached to this Agreement as Exhibit A.

B. The Residential Development is located in the City of Troy, Oakland County, Michigan. The Residential Development is between Long Lake Road and Square Lake Road and Livernois Road and Rochester Road. The site for the erection of the sign is located on the boulevard at Long Lake Road and Berwyck Street more particularly described on the attached Exhibit B. A description of the proposed sign is attached to this Agreement as Exhibit C.

C. Chapter 78, Section 7.01.01. C. provides that Troy City Council shall approve the design and materials of all residential development identification signs. Further, the Ordinance provision requires that an Agreement be executed between the City and

Residential Development specifying that the Residential Development shall assume liability for the sign and be responsible for its maintenance.

IN CONSIDERATION of the foregoing recitals and the mutual covenants contained in this Agreement, IT IS AGREED:

1. The Residential Development shall be permitted to erect an identification sign within the median of the boulevard entrance street at the intersection of Long Lake Road and Berwyck Street. That sign shall not be more than five (5) feet in height and not more than fifty (50) feet in area as set out in Section 7.01.01. C. of the City of Troy Code of Ordinances. The height of the sign shall be subject to the corner clearance requirement of Figure 7.01.01 as set out in the Troy Code of Ordinances as part of Section 7.01.01.C.
2. The identification sign shall comply with the plans and specifications attached hereto as Exhibit B and incorporated into this Agreement and any terms and conditions for design and materials established by City Council by Resolution. Any plans and specifications must designate on their face that they have been approved by the Director of Building and Zoning.
3. The Residential Development shall maintain the identification sign in good and safe condition at all times and shall make such repairs as the City may deem reasonably necessary from time to time to keep the sign in good and safe condition. Failure to keep the sign in good and safe condition shall be considered a breach of this Agreement under Paragraph 7.
4. The Residential Development has provided a Certificate of Insurance acceptable to the City demonstrating that general liability coverage is available for claims for personal injury or property damage caused by the sign or attributed to the placement

of the identification sign in the right-of-way. Such insurance shall be in the amount of \$500,000.00 per occurrence and aggregate limit. The Certificate of Insurance shall name the City of Troy as an additional insured. The City reserves the right to modify the insurance requirements as necessary. The Residential Development agrees to keep said insurance or a similar policy with the above minimum insurance coverage in effect for the term of this Agreement. The Residential Development shall submit to the City of Troy Risk Management Department on the anniversary date of this Agreement a Certificate of Insurance acceptable to the City demonstrating coverage for the above insurance amounts. Additionally, the City may request a copy of said insurance certificate at any time during this Agreement. Failure to produce a certificate of insurance within fifteen (15) days of a request by the City, or a determination by the City that there is a lapse in coverage, shall be considered a breach of this Agreement under Paragraph 7.

5. The individual executing this Agreement on behalf of the Residential Development represents that he or she has the authority to bind the Residential Development and the individual property owners within the Residential Development to this Agreement and has provided documentation to support his or her representation. If it is determined by the City at any time hereafter that no such authority exists, this Agreement shall be null and void, and the identification sign shall be immediately removed in accordance with Paragraph 7.

6. If it becomes necessary for the City to remove the sign for an emergency purpose or to service a utility, such as but not limited to: repair of water main breaks or sewer line or electric line repair, the Residential Development shall be one hundred

(100 %) responsible for the replacement of the sign. Further, the City shall not be responsible for any damage to the sign as a result of the removal. If the Residential Development fails to reinstall the sign in an identical manner, as set out in this Agreement, or fails to remove the sign from the site within thirty (30) days after the City's removal, the City may take action to remove the sign in accordance with Paragraph 7.

7. If there is a breach of this Agreement or if the Agreement becomes null and void, the City shall notify the Residential Development that it has thirty (30) days to remove the identification sign. If the Residential Development fails to comply, the City may remove the sign and assess any costs it incurs to the Residential Development. If the Residential Development fails to pay the City's costs for removal within fifteen (15) days from the notification of the costs, the City may exercise any legal remedy to which it is entitled against the Residential Development and/or the individual property owners within the Residential Development including the pro-rata assessment of costs on each individual property owner's tax bill.

8. To the fullest extent permitted by law, the Residential Development agrees to defend, pay on behalf of, indemnify, and hold harmless the City, its elected and appointed officials, employees and volunteers and others working on behalf of the City against any and all claims, demands, suits, or loss, including all costs connected therewith, and for any damages which may be asserted, claimed or recovered against or from the City, its elected and appointed officials, employees, volunteers or others working on behalf of the City, by reason of personal injury, including bodily injury or death and/or property

damage, relating to the erection, maintenance, location and any other aspects of the identification sign.

9. This Agreement shall be binding upon and inure to the benefit of the parties hereto, their heirs, successors and assigns.

IN WITNESS WHEREOF, this Agreement has been entered into as of the above date.

WITNESSES:

CITY OF TROY,

Matt Pryor, Mayor

Tonni Bartholomew, Clerk

RESIDENTIAL DEVELOPMENT

Sylvan Glen Homeowners
Association,

Sandra Imsworth

Charlene Calabro

By:
Its: President

Michelle Fayed

Sandra Imsworth
By:
Its: Common Ground Chairperson

DATE: November 17, 2003
SUBJECT: **Sylvan Glen Homeowners Association Board Meeting, Troy, MI**
MEETING STARTED: 7:05pm
MEETING ENDED:
MEETING ATTENDEES: *Charlene Calabro-President, *Ruth Hoppe-Vice President
(*denotes present) Jonathon Strong-Secretary, *Tracy Heikka-Treasurer

SGHA Committee Members (2003):

| | |
|----------------------------------|--------------------------------|
| *Sandy Unsworth-Common Grounds | *Paul Chrustowski-Membership |
| *Jenna Perkins-Newsletter Editor | *Joan Yang-Membership Database |
| *Wally Hamera-Webmaster | Laurie Mazur-Sunshine Person |
| *Jeff Hendry-Deed Restrictions | |
| *Carol Mazurek-Social Committee | |

NEXT MEETING: January 7, 2004, 7:00pm – Troy Community Center

TOPICS DISCUSSED:

President's Comments: Charlene began by reporting on the recent planning commission meeting regarding the re-zoning of property on Rochester Road, south of Long Lake, which is currently zone residential. The planning commission did not recommend rezoning, but the issue will now go to Troy City Council for final approval. Charlene will notify when it will appear on Council agenda as a large presence at the meeting will be important.

Charlene also contacted our insurance carrier regarding liability coverage for the subdivision garage sale. We are not at risk for liability because any claim would be made against the homeowner's policy first.

Regarding current meeting format: It is important to keep meetings short. For this reason, there should only be one chairperson, not co-chairs, reporting at meetings. Committee work should be done outside of meeting times. Membership has co-chairs because that is the way it was set up last year. All other committees will only have one chairperson.

Jenna expressed concern that homeowners voted Terri Dahmer in as a co-chair so there may be the conception that she would have voting power at the meetings. Terri has expressed that she will not be able to be as involved as in the past because of the upcoming birth of her twins.

Charlene received 48 calls from residents who like the new entry on Berwyck. Another homeowner's association member called looking for a referral on the contractor.

The City of Troy needs us to act on the following resolution regarding signing of agreement with the City for right-of-way signs:

X Sandy Unsworth made the following motion: I move that we enter into the agreement with the City of Troy for right-of-way signs and allow the Board President, Charlene Calabro, to sign the agreement on behalf of the Association.

2nd on the motion by:

All in favor indicated by raising hands.

Resolution passes.

Membership: Paul Chrustowski says he is getting good cooperation from the block captains. Falmouth is missing a block captain. About one-half of the block captains have turned in membership as of the meeting date. It doesn't appear that we are getting any new members.

All approved to send letter to non-members to give people information on what the dues are used for.

Jenna (block captain) indicated that one original homeowner on Falmouth is interested in getting deed restrictions reinstated for Sylvan Glen I & II. We will revisit this at the February board meeting.

Database: Currently we have 130 members (about 19%). There were more collected tonight that are not reflected in this number. Total homeowners are 673. Many members have provided e-mail addresses.

NEW BUSINESS:

Date for next edition of Sylvan Glen Pen: End of January 2004

Article due date for next edition: January 16, 2004

| | | | |
|--|--|---|-----------------------------|
| ACORD CERTIFICATE OF LIABILITY INSURANCE | | OP ID SB SYLVA-1 | DATE (MM/DD/YY) 11/21/03 |
| PRODUCER Emerson-Prew, Inc. 30600 Telegraph, Suite 3110 Birmingham MI 48025 Phone: 248-642-5900 Fax: 248-642-2310 | | THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. | |
| INSURED Sylvan Glen Homeowners Assoc. Charlene Calabro 488 Trillium Troy MI 48085-3289 | | INSURERS AFFORDING COVERAGE | |
| | | INSURER A: Auto-Owners Insurance Co. | |
| | | INSURER B: | |
| | | INSURER C: | |
| | | INSURER D: | |
| | | INSURER E: | |

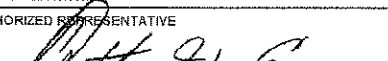
COVERAGES

| THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS. | | | | | | |
|---|--|-------------------|----------------------------------|-----------------------------------|--|---------------|
| INSR LTR | TYPE OF INSURANCE | POLICY NUMBER | POLICY EFFECTIVE DATE (MM/DD/YY) | POLICY EXPIRATION DATE (MM/DD/YY) | LIMITS | |
| A | GENERAL LIABILITY | 0691252603 | 05/20/03 | 05/20/04 | EACH OCCURRENCE | \$ 1,000,000. |
| | <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY | | | | FIRE DAMAGE (Any one fire) | \$ 50,000. |
| | <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR | | | | MED EXP (Any one person) | \$ 5,000. |
| | <input checked="" type="checkbox"/> D&O 1,000,000. | | | | PERSONAL & ADV INJURY | \$ 1,000,000. |
| | <input type="checkbox"/> | | | | GENERAL AGGREGATE | \$ 2,000,000. |
| | | | | | PRODUCTS - COMP/OP AGG | \$ 2,000,000. |
| GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC | | | | | | |
| | AUTOMOBILE LIABILITY | | | | COMBINED SINGLE LIMIT (Ea accident) | \$ |
| | <input type="checkbox"/> ANY AUTO | | | | BODILY INJURY (Per person) | \$ |
| | <input type="checkbox"/> ALL OWNED AUTOS | | | | BODILY INJURY (Per accident) | \$ |
| | <input type="checkbox"/> SCHEDULED AUTOS | | | | PROPERTY DAMAGE (Per accident) | \$ |
| | <input type="checkbox"/> HIRED AUTOS | | | | | |
| <input type="checkbox"/> NON-OWNED AUTOS | | | | | | |
| | GARAGE LIABILITY | | | | AUTO ONLY - EA ACCIDENT | \$ |
| | <input type="checkbox"/> ANY AUTO | | | | OTHER THAN AUTO ONLY: EA ACC | \$ |
| | | | | | AGG | \$ |
| | EXCESS LIABILITY | | | | EACH OCCURRENCE | \$ |
| | <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE | | | | AGGREGATE | \$ |
| | <input type="checkbox"/> | | | | | \$ |
| | <input type="checkbox"/> DEDUCTIBLE | | | | | \$ |
| | <input type="checkbox"/> RETENTION \$ | | | | | \$ |
| | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY | | | | WC STATUS: <input type="checkbox"/> TORY LIMITS <input type="checkbox"/> OTHER | |
| | E.L. EACH ACCIDENT | | | | \$ | |
| | E.L. DISEASE - EA EMPLOYEE | | | | \$ | |
| | E.L. DISEASE - POLICY LIMIT | | | | \$ | |
| | OTHER | | | | | |

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS

Re: Any project

The City of Troy is added as additional insured as respects general liability.

| | | | |
|--|----------|-------------------------------------|--|
| CERTIFICATE HOLDER | Y | ADDITIONAL INSURED; INSURER LETTER: | CANCELLATION |
| TROYCIT City of Troy Susan Lancaster Troy MI 48009 | | | SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL <u>10</u> DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES. |
| | | | AUTHORIZED REPRESENTATIVE  |

December 16, 2003

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Gary A. Shripka, Assistant City Manager/Services
Doug Smith, Real Estate and Development Director
Dennis C. Stephens, Right of Way Representative

SUBJECT: Request for Acceptance of, (1) Permanent Water Main Easement,
Permanent Sanitary Sewer Easement, and a Private Road Agreement-
Fountain Park Troy, L.L.C. – Sidwell# 88-20-14-351-002, 003, 004

In connection with the development of the Fountain Park Condominium project on the east side of Rochester Road north of Wattles Road, the Real Estate and Development Department has acquired the necessary documents as listed below. The consideration on each document is \$1.00.

| <u>GRANTOR</u> | <u>TYPE OF DOCUMENT</u> |
|----------------------------|-------------------------------------|
| Fountain Park Troy, L.L.C. | Private Road Agreement |
| Fountain Park Troy, L.L.C. | Permanent Easement/Water Main |
| Fountain Park Troy, L.L.C. | Permanent Easement/Sanitary Sewer 5 |

Management recommends that City Council accept the attached easements, and private road agreement.

DCS

PERMANENT EASEMENT

Sidwell #88-20-14-

Fountain Park Troy, L.L.C., a Michigan Limited Liability Company, Grantors, whose address is 1535 Sixth street Ste. One, Detroit, MI 48226, for and in consideration of the sum of: One and no/100 Dollar (\$1.00) paid by the CITY OF TROY, a Michigan Municipal Corporation, Grantee, whose address is 500 West Big Beaver Road, Troy, Michigan 48084, grants to the Grantee the right to construct, operate, maintain, repair and/or replace water main, said easement for land situated in the City of Troy, Oakland County, Michigan described as:

SEE ATTACHED EXHIBIT "A"

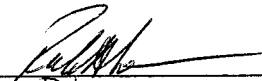
and to enter upon sufficient land adjacent to said improvement(s) for the purpose of the construction, operation, maintenance, repair and/or replacement thereof.


The premises so disturbed by the exercise of any of the foregoing powers shall be reasonably restored to its original condition by the Grantee.

This instrument shall be binding upon and inure to the benefit of the parties hereto, their heirs, representatives, successors and assigns and the covenants contained herein shall run with the land.

IN WITNESS WHEREOF, the undersigned hereunto affixed his signature(s) this 6th day of Sept A.D. 2002

In presence of:
WITNESS


* Robert A. Lucido

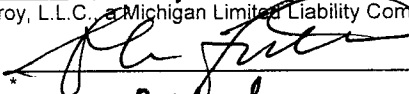

* ED PURCELL

By  (L.S.)
* David M. Kilvington
Its. Managing Member

____ (L.S.)

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 6 day of September 2002, by David M Kilvington its Managing Member, on behalf of Fountain Park Troy, L.L.C., a Michigan Limited Liability Company.


Notary Public, Oakland County, Michigan

My Commission Expires 4-24-04

Prepared by: Dennis C Stephens
City of Troy
500 W. Big Beaver Road
Troy, MI 48084

Return to: City Clerk
City of Troy
500 W. Big Beaver Rd.
Troy, MI 48084

SHAWN LAVETTER
Notary Public, Oakland County, MI
My Commission Expires 04/24/2004

PLEASE SIGN IN BLUE INK AND PRINT OR TYPE NAMES IN BLACK INK UNDER SIGNATURES

EXHIBIT "A"

LEGAL DESCRIPTION: WATERMAIN EASEMENT

A CENTERLINE OF A 20 FOOT WATERMAIN EASEMENT DESCRIBED AS FOLLOWS: PART OF LOTS 3 AND 4 OF SUPERVISORS PLAT NO. 22 A SUB. OF PART OF THE S.W. 1/4 OF SEC. 14, T2N., R11E., CITY OF TROY, OAKLAND COUNTY, MICHIGAN RECORDED IN L.13 P.45 OF PLATS, O.C.R. MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF LOT 4 OF SAID SUPERVISORS PLAT NO. 22, THENCE EAST 42.00 FEET ALONG THE SOUTH LINE OF SAID LOT 4; THENCE N.00°35'00"W. 158.64 FEET TO A POINT OF BEGINNING; THENCE N.89°45'25"E. 70.68 FEET; THENCE S.49°10'49"E. 35.77 FEET; THENCE N.89°45'25"E. 39.75 FEET; THENCE N.49°10'49"E. 35.77 FEET; THENCE N.00°14'35"E. 36.75 FEET; THENCE N.45°02'10"W. 35.77 FEET; THENCE S.89°45'25"W. 49.23 FEET; THENCE S.43°47'44"W. 20.70 FEET TO THE POINT OF END.

PERMANENT EASEMENT

Sidwell #88-20-14-

Fountain Park Troy, L.L.C., a Michigan Limited Liability Company, Grantors, whose address is 1535 Sixth street Ste. One, Detroit, MI 48226, for and in consideration of the sum of: One and no/100 Dollar (\$1.00) paid by the CITY OF TROY, a Michigan Municipal Corporation, Grantee, whose address is 500 West Big Beaver Road, Troy, Michigan 48084, grants to the Grantee the right to construct, operate, maintain, repair and/or replace Sanitary Sewer, said easement for land situated in the City of Troy, Oakland County, Michigan described as:

SEE ATTACHED EXHIBIT "A"


and to enter upon sufficient land adjacent to said improvement(s) for the purpose of the construction, operation, maintenance, repair and/or replacement thereof.


The premises so disturbed by the exercise of any of the foregoing powers shall be reasonably restored to its original condition by the Grantee.

This instrument shall be binding upon and inure to the benefit of the parties hereto, their heirs, representatives, successors and assigns and the covenants contained herein shall run with the land.


IN WITNESS WHEREOF, the undersigned hereunto affixed his signature(s) this 6th day of SEPT A.D. 2002

In presence of:
WITNESS



Robert A. Lucare


ED PURCELL

By  (L.S.)
*David M. Kilvington
Its: Managing Member

(L.S.)

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 6 day of September, 2002, by David M. Kilvington its Managing Member, on behalf of Fountain Park Troy, L.L.C., a Michigan Limited Liability Company.



Notary Public, Oakland County, Michigan

My Commission Expires 4-24-07

Prepared by: Dennis C Stephens
City of Troy
500 W. Big Beaver Road
Troy, MI 48084

Return to: City Clerk
City of Troy
500 W. Big Beaver Rd.
Troy, MI 48084
SHAWN LAVETTER
Notary Public, Oakland County, MI
My Commission Expires 04/24/2007

PLEASE SIGN IN BLUE INK AND PRINT OR TYPE NAMES IN BLACK INK UNDER SIGNATURES

EXHIBIT "A"

SURVEY NUMBER

00040

PREL. I

FINAL: 7-23-02

SCALE: 1"=N/A

LEGAL DESCRIPTION:

SANITARY SEWER EASEMENT

A CENTERLINE OF A 20 FOOT SANITARY SEWER EASEMENT DESCRIBED AS FOLLOWS: PART OF LOT 3 OF SUPERVISORS PLAT NO. 22 A SUB. OF PART OF THE S.W. 1/4 OF SEC. 14, T2N., R11E., CITY OF TROY, OAKLAND COUNTY, MICHIGAN RECORDED IN L.13 P.45 OF PLATS, O.C.R. MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF LOT 4 OF SAID SUPERVISORS PLAT NO. 22, THENCE EAST 42.00 FEET ALONG THE SOUTH LINE OF SAID LOT 4; THENCE N.00°35'00"W. 199.13 FEET TO A POINT OF BEGINNING; THENCE N.89°45'25"E. 72.00 FEET; THENCE S.75°08'15"E. 93.98 FEET TO THE POINT OF END.

PRIVATE ROAD AGREEMENT

This Private Road Agreement ("Agreement") made this 10th day of September, 2002, between Fountain Park Troy LLC, a Michigan limited liability company ("Developer") whose address is 1535 Sixth Street, Suite 1, Detroit, Michigan 48226, and the City of Troy, a Michigan municipal corporation ("City") whose address is 500 West Big Beaver Road, Troy, Michigan 48084.

Whereas, Developer is the owner of certain real property located in the City of Troy, Oakland County, Michigan, more particularly described on Exhibit A (the "Land") which is attached to this Agreement and made a part hereof; and

Whereas, Developer intends to develop a residential condominium project within the applicable zoning ordinances of the City of Troy, with certain private streets located within the portion of the Land described on Exhibit B (the "Road Easement Area"), which is attached to this Agreement and made a part hereof, and seeks the approval of the City Council of the street system; and

Whereas the Road Easement Area is shown on the drawing attached hereto as Exhibit C and by this reference made a part hereof; and

Whereas it is recognized that the development of a private street system will result in less street area being available for public uses, and the placement of residential buildings closer to the street pavement than would occur in the case of a public street system, and

Whereas, it is recognized that the private street may include some non-standard improvements, street furniture, etc., which are not available or present in conjunction with public street systems; and

Whereas, the City is willing to approve the private street system, provided that Developer will agree that the streets will never be dedicated to the public and the City will never be required to maintain them; and

Whereas, in conjunction with approval of the subject private street system, the City must be assured, that the residences of Developer's condominium project will have street facilities which will be similar in quality to public streets.

Now, therefore, in consideration of One Dollar (\$1.00) paid by the City, Developer and City agree as follows:

1. City approves the use of a private street system to serve the proposed residential condominium development on the Land.
2. Developer agrees, on its behalf and behalf of all future owners of the Land, that the condominium association created to administer the condominium established on the Land shall always have the

obligation to maintain the streets on the Land as private roads in accordance with the final approved site plan prepared by GAV & Associates, Inc., dated November 12, 2001, and amended through July 31, 2002, being drawing # 01199, Sheet SD-1, and shall never request that the City accept a dedication of the streets for public use and maintenance.

3. Developer and City agree that the private street pavement shall be constructed to public street standards, or to an alternative pavement standard acceptable to the City Engineer in relation to the pavement life, durability and serviceability. The pavement construction shall be inspected by the City's engineering staff.
4. Developer agrees to grant to the City easements for emergency access, for police and fire protection, and for the maintenance, repair or replacement of the storm water drainage system in the event the Owner(s) of the Land fail to maintain the system. The cost of any such repair, replacement, or maintenance by the City shall be charged to and reimbursed by the condominium association.
5. No modification, amendment or supplement to the terms and conditions stated in the Agreement shall be effective unless in writing and signed by each of the parties.
6. This Agreement shall be governed by and interpreted in accordance with the ordinances of the City of Troy and the laws of the State of Michigan.
7. This Agreement shall be binding upon and inure to the benefit of the respective heirs, representatives, successors and permitted assigns of the parties.
8. This Agreement shall be recorded in the office of the Oakland County Register of Deeds.
9. Developer agrees to reference this Agreement the individual deeds to subsequent purchasers and in the Master Deed that established the condominium on the Land.
10. Any notice required or permitted to be given to either party by the other pursuant to this Agreement shall be deemed to be sufficient if in writing and either personally delivered, sent by facsimile, telecopier or telegram, or sent by certified or registered mail, postage prepaid to the following addresses:

To Developer:

David Kilvington
Fountain Park Troy LLC
1535 Sixth Street, Suite 1
Detroit, Michigan 48226

To City:

City of Troy
500 West Big Beaver Road
Troy, Michigan 48084

Or at such other address as either party shall designate by written notice to the other. Such notice shall be deemed given on the date when personally served or, if by facsimile, telecopier or telegram, on the day it is sent or, if by mail, on the day it is posted.

11. In the event either party hereto commences litigation against the other to enforce its rights hereunder, the prevailing party in such litigation shall be entitled to recover from the other party its reasonable attorney fees and expenses incident to such litigation (through all appeals).

12. All provisions of this instrument, including the benefits and burdens, run with the land and are binding upon and inure to the benefit of the successors and assigns of the parties hereto.

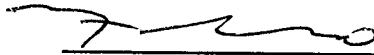
In Witness Whereof, the parties hereto have executed this Agreement as of the day and year first above written.

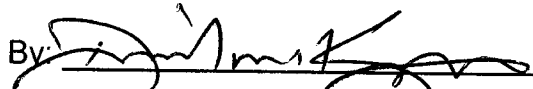
IN THE PRESENCE OF TWO

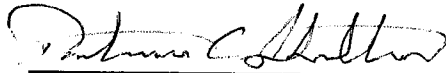
FOUNTAIN PARK TROY LLC,

WITNESSES:

a Michigan limited liability company


NINA SPAGNUOLO


By: 
David Kilvington, Managing Member


PATRICIA C. SARTIN

STATE OF MICHIGAN)

COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 10th day of September, 2002, by David Kilvington, Managing Member of Fountain Park Troy LLC, a Michigan limited liability company, on behalf of it.

Notary Public, Oakland County, MI
LYKESHA MOORE
My Commission Expires: Notary Public, Wayne County, MI
Acting in Oakland Co., MI
My Commission Expires 03/07/2006


IN THE PRESENCE OF:

CITY OF TROY

BY: _____

ITS: _____

STATE OF MICHIGAN)

COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this _____ day of _____, 2002, by _____

the _____ of the City of Troy, a Michigan municipal corporation, on behalf of it.

Notary Public, _____ County, MI

My Commission Expires: _____

| | | | |
|------------------|------------------------|---------------|----------------|
| | HOUSE #: 4160, 4180 | PLAT #: | PICTURE #: |
| SURVEYED BY: N/A | STREET: ROCHESTER ROAD | LIBER: PAGE: | NO. 8 |
| DRAFTED BY: D.K. | CITY: TROY | BOOK: | CUSTOMER: |
| CHECKED BY: NDK | COUNTY: OAKLAND | VOLUME: PAGE: | GAV ASSOCIATES |

EXHIBIT "A"

LEGAL DESCRIPTION:

LOTS 2,3 AND 4 EXCEPT THE WEST 10 FEET THEREOF OF SUPERVISORS PLAT NO. 22 A SUB'D OF PART OF THE S.W. 1/4 OF SEC. 14 T2N., R11E., TROY TOWNSHIP, NOW CITY OF TROY, OAKLAND COUNTY, MICHIGAN, RECORDED IN LIBER 13 PAGE 45 OF PLATS, O.C.R. MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF LOT 4 THENCE WEST 10.00 FEET; THENCE N.00°35'00"W. 356.00 FEET; THENCE EAST 336.57 FEET; THENCE S.00°15'00"E. 356.00 FEET; THENCE WEST 334.45 FEET TO A POINT OF BEGINNING. CONTAINING 2.66 ACRES OF LAND MORE OR LESS AND SUBJECT TO ALL EASEMENTS AND MATTERS OF RECORD.

SURVEY NUMBER

00040

PREL. 1

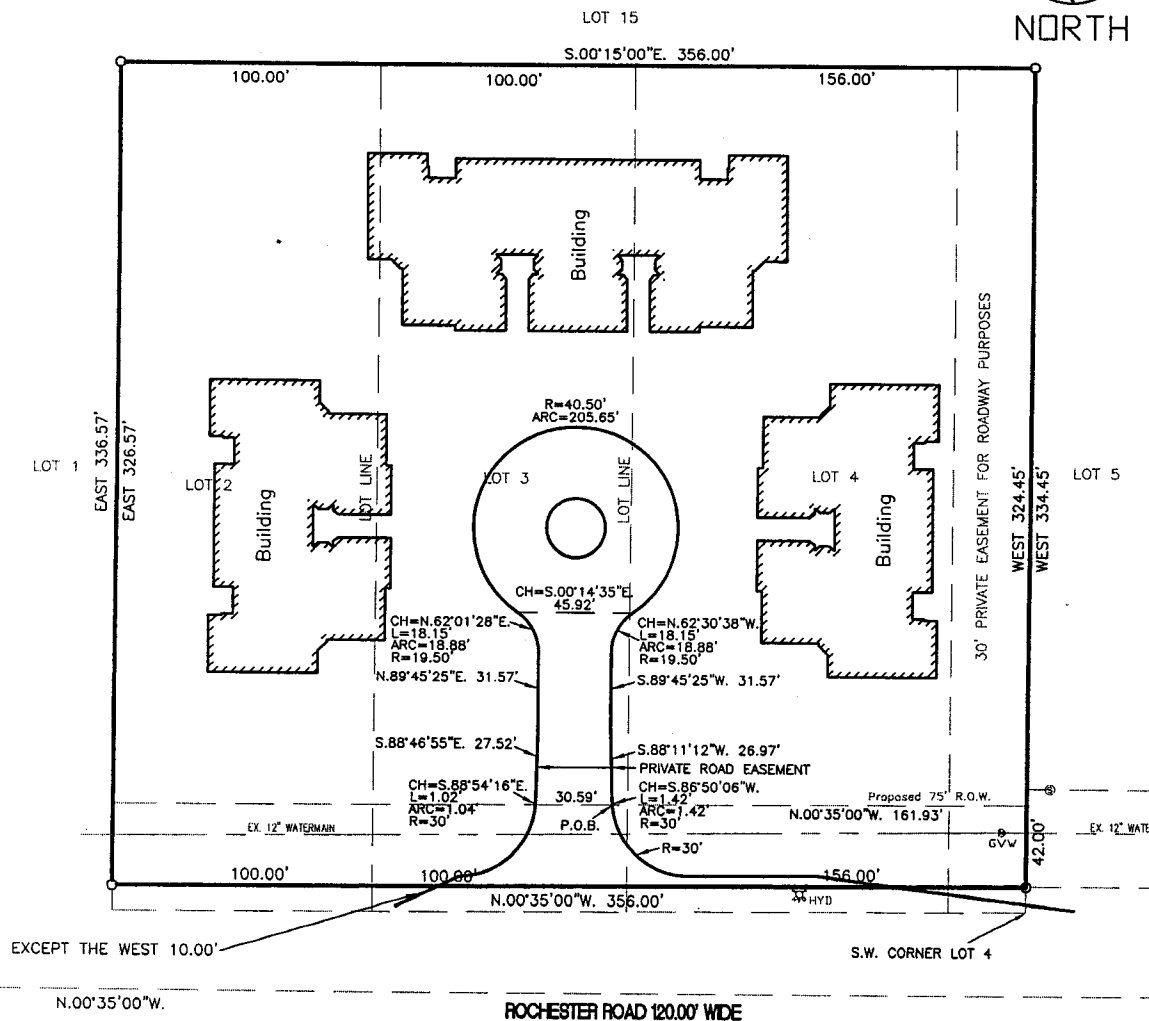
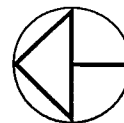
FINAL: 9-9-02

SCALE: 1"=60'

SHEET 1 OF 2

NOTE:

FOR EASEMENT DESCRIPTION SEE SHEET 2



LAND ENGINEERING
SERVICES, INC.
2201 12 MILE ROAD
WARREN, MI 48092
PHONE (586)582-9800
FAX (586)582-9866

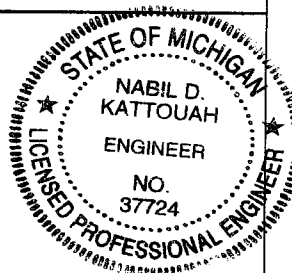
Certified by

Nabil D. Kattouah

NABIL D. KATTOUAH P.E. #37724

ORIGINAL: 9-9-02

REVISED:



| | | | |
|------------------|------------------------|------------------------|----------------|
| SURVEYED BY: N/A | HOUSE #: 4160, 4180 | PLAT #: | PICTURE #: |
| DRAFTED BY: D.K. | STREET: ROCHESTER ROAD | LIBER: PAID | REF. #: |
| CHECKED BY: NDK | CITY: TROY | BOOK: | CUSTOMER: |
| | COUNTY: OAKLAND | VOLUME: PAGE: | GAV ASSOCIATES |

EXHIBIT "B"

SURVEY NUMBER

00040

PREL. :

FINAL: 9-9-02

SCALE: 1" = N/A

SHEET 2 OF 2

LEGAL DESCRIPTION: ROAD EASEMENT

A PRIVATE ROAD EASEMENT DESCRIBED AS FOLLOWS: PART OF LOTS 3 AND 4 OF SUPERVISORS PLAT NO. 22 A SUB. OF PART OF THE S.W. 1/4 OF SEC. 14, T2N., R11E., CITY OF TROY, OAKLAND COUNTY, MICHIGAN RECORDED IN L.13 P.45 OF PLATS, O.C.R. MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF LOT 4 OF SAID SUPERVISORS PLAT NO. 22, THENCE EAST 42.00 FEET ALONG THE SOUTH LINE OF SAID LOT 4; THENCE N.00°35'00"W. 161.93 FEET TO A POINT OF BEGINNING; CONTINUING THENCE N.00°35'00"W. 30.59 FEET; THENCE EASTERLY 1.04 FEET ALONG THE ARC OF A CURVE TO THE LEFT (RADIUS OF 30.00 FEET LONG CHORD BEARS S.88°54'16"E. 1.02 FEET TO A POINT OF CURVE); THENCE S.88°46'55"E. 27.52 FEET; THENCE N.89°45'25"E. 31.57 FEET TO A POINT OF CURVE; THENCE NORTHEASTERLY 18.88 FEET ALONG THE ARC OF A CURVE TO THE LEFT (RADIUS OF 19.50 FEET, LONG CHORD BEARS N.62°01'28"E. 18.15 FEET TO A POINT OF CURVE); THENCE 205.65 FEET ALONG THE ARC OF A CURVE TO THE RIGHT (RADIUS 40.50 FEET, LONG CHORD BEARS S.00°14'35"E. 45.92 FEET TO A POINT OF CURVE); THENCE NORTHWESTERLY 18.88 FEET ALONG THE ARC OF A CURVE TO THE LEFT (RADIUS 19.50 FEET LONG CHORD BEARS N.62°30'38"W. 18.15 FEET TO A POINT OF CURVE); THENCE S.89°45'25"W. 31.57 FEET; HENCE S.89°11'12"W. 26.97 FEET TO A POINT OF CURVE; THENCE SOUTHWESTERLY 1.42 FEET ALONG THE ARC OF A CURVE TO THE LEFT (RADIUS 30.00 FEET, LONG CHORD BEARS S.86°50'06"W. 1.42 FEET TO THE POINT OF BEGINNING. CONTAINING 11141.42 SQUARE FEET OR 0.25 ACRES OF LAND MORE OR LESS. SUBJECT TO AND TOGETHER WITH ALL EASEMENTS AND RESTRICTIONS AFFECTING TITLE TO THE ABOVE DESCRIBED PREMISES.

LAND ENGINEERING
SERVICES, INC.

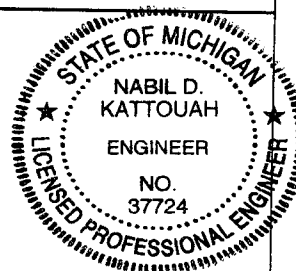
2201 12 MILE ROAD
WARREN, MI 48092
PHONE (586)582-9800
FAX (586)582-9866

Certified by

Nabil D. Kattouah
NABIL D. KATTOUAH P.E. #37724
N.D.


ORIGINAL: 9-9-02

REVISED:



December 17, 2003

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager
John M. Lamerato, Assistant City Manager/Finance and Administration
Gary A. Shripka, Assistant City Manager/Services
Steve Vandette, City Engineer 

SUBJECT: **Allocation of Tri-Party Program Funds to
Crooks Road Reconstruction, Square Lake to South Boulevard**

BACKGROUND

The City of Troy allotment for the 2004 Tri-Party Program is \$406,638 with one-third (1/3) or \$135,546 of the allotment being the City's share. The Board of Road Commissioners for the County of Oakland and the Oakland County Board of Commissioners accounts for the remaining two-thirds (2/3) or \$271,092 equally.

In addition to the 2004 allotment, we have reserved Tri-Party program funds from previous years as follows:

FY 2002 - \$ 485,738
FY 2003 - \$ 351,726

TOTAL - \$ 837,464 (Including \$279,155 City share)

RECOMMENDATION

Staff recommends allocating the reserved FY 2002 and FY 2003 along with FY 2004 Tri-Party program funds, as required, to the Crooks Road, Square Lake to South Boulevard construction phase scheduled by RCOC to begin in 2005. The local share for the construction phase of the Crooks Road project for the City of Troy is estimated at \$900,000. A cost participation agreement with RCOC will be presented for consideration at a later date that will detail the specific project costs.

Furthermore, staff recommends reserving unused FY 2004 Tri-Party program funds for future road projects on County roads that require matching funds. This procedure was used in the past where the City set aside several years of Tri-Party funds to pay for a portion of the Livernois, Wattles to Long Lake Road project.



QUALITY LIFE THROUGH GOOD ROADS:
ROAD COMMISSION FOR OAKLAND COUNTY
"WE CARE"

RECEIVED

NOV 26 2003

ENGINEERING

November 19, 2003

Mr. John Szerlag, Manager
City of Troy
500 West Big Beaver
Troy, MI 48084-5285

Re: FY 2004 Tri-Party Program

Dear Mr. Szerlag:

Your participation is requested in the FY 2004 Tri-Party Program for road improvements. The fiscal year governing this program is October 1, 2004 through September 30, 2004. The Oakland County Board of Commissioners has approved a Tri-Party budget of \$1,500,000 to create a \$4,500,000 program for FY 2004. \$2,250,000 will be designated for townships and \$2,250,000 for cities and villages.

The distribution formula and method of calculation of Tri-Party allocations have remained the same. For cities and villages, it includes RCOC Road Miles and three-year average annual accidents. For townships, the most recent census population figures are combined with RCOC Road Miles and three-year average annual accidents. The figures for these three factors (population, miles and accidents) are calculated as the individual community's percentage of the total of each factor in each type of community. For example, county road accidents in a city or village are divided by the total of all county road accidents in all cities and villages. The distribution formulas have been used for years in an attempt to most equitably distribute the Tri-Party dollars.

Separate formulas are used because population in the city/village equation would skew the results toward more densely populated cities with fewer RCOC road miles. In Townships on the other hand, population has been used as a determining factor to prevent the distribution from being skewed toward townships with high road miles but small populations.

31001 Lahser Road
Beverly Hills, MI
48025

248-645-2000

FAX
248-645-0618

TDD
248-645-9923

www.rcocweb.org

Board of Road Commissioners

Richard G. Skarritt
Chairman

Rudy D. Lozano
Vice-Chairman

Larry P. Crake
Commissioner

Brent O. Bair
Managing Director

Gerald M. Holmberg
Deputy Managing Director
County Highway Engineer

**Programming Division
Engineering Department**



City / Village Formula:

$$\text{Community Allocation} = \text{Ad}_{\text{CV}} \frac{(\text{Ca} + \text{Rm})}{2}$$

Where: Ad_{CV} = Total Amount for distribution to cities and villages
 Ca = Community % of total accidents on county roads in cities and villages
 Rm = Community % of total county road miles in cities and villages

(Note that accidents are an annual average for a three year period)

Township Formula:

$$\text{Community Allocation} = \text{Ad}_{\text{T}} \frac{(\text{Ca} + \text{Pc} + \text{Rm})}{3}$$

Where: Ad_{T} = Total Amount for distribution to townships
 Ca = Community % of total accidents on county roads in all townships
 Pc = Community % of total population in all townships
 Rm = Community % of total county road miles in all townships

(Note that accidents are an annual average for a three-year period)

Although the method of calculation and the factors involved have remained the same, the data on which those calculations are based has changed.

Population data is changed only after a decennial census or if the Census Bureau issues revised numbers. The new data includes the most recent counts from the 2000 Census.

As in the past, RCOC road miles change only to reflect abandonments, transfers of jurisdiction, or the addition of new roads.

The most recent traffic accident data available from the Traffic Improvement Association of Oakland County is used. Currently, the average annual crash data from 2000 to 2002 is being used.

Your program allotment for this year is \$406,638 of which your share will be \$135,546. Any funds remaining from previous years or earlier projects may be added to this amount for use in 2004. You may use these funds to select a new project, continue funding a previous project, or save them to fund a future project. If you do not wish to participate in this program, please contact me as soon as possible, so your program allotment can be distributed as necessary.



The program operates as follows:

1. Projects intended for 2004 construction must be selected and submitted with a local board or council resolution by February, 2004.
2. Project locations and concepts must be approved by the County Board and the Road Commission.
3. Projects that cost more than the allocation may be selected if the community provides the additional funding.
4. Funding agreements must be executed before bids are accepted. On larger projects, a separate agreement for preliminary engineering or right of way may be executed prior to initiation of these phases.
5. Projects that improve road safety take precedence over other project types, i. e. congestion or drainage.
6. Due to the Road Commission's current road project commitments, preliminary and construction engineering may need to be provided by community engineers at a maximum rate of 10% and 15 %, respectively, of estimated construction costs.

A schedule of events has been established as detailed below. If you are unable to meet any of the dates below, please inform me as soon as possible.

| DEADLINE | ACTIVITY |
|------------------------|---|
| January, 2004 | Potential project locations submitted to Programming Division for review. |
| February, 2004 | Local council resolutions and project commitments submitted for projects to be constructed in 2004. |
| March, 2004 | Project approval by Road Commission and County Board. |
| April – November, 2004 | Design, bidding and/or construction period. |

I urge you to consider your options for projects now and involve your council members early in the process. Please contact me as soon as possible for cost estimates. The closer we follow the above schedule, the more successful our 2004 Tri-Party construction season will be.



A list of suggested project locations is attached. The list indicates some project possibilities collected from local officials, citizens, police reports, accident locations, Department of Citizen Services, and Road Commission staff. The list is not in priority order and most do not yet have cost estimates. Also shown are some typical costs for comparison purposes.

In addition, a historical report of your community's Tri-Party Program participation is also attached. The report lists the projects that have been completed with their associated costs. The report also shows the allocations that have been reserved for future Tri-Party projects.

Please contact me at (248) 645-2000 extension 2266 for further discussion or assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Dylan Foukes".

Dylan Foukes, P.E.
Programming Supervisor

DF/cmd

2004 TRI-PARTY PROGRAM

CITY: TROY

ALLOCATION FOR 2004: \$406,638

The following list contains typical safety projects with general costs for your information. Actual project costs will vary depending on location and a preliminary concept and estimate should be requested. Below is the list of potential project sites recommended over the past year or so by citizens and officials; many of these have not been field checked.

SAFETY PROJECTS

GENERAL COSTS

| | |
|---------------------------------|------------------------|
| Additional lane at intersection | \$100,000 per approach |
| Approach paving - Sub Street | \$ 50,000 |
| Approach paving - Major Road | \$ 75,000 |
| Passing lane | \$ 60,000 |
| Center left turn lane | \$200,000 |
| Shoulder paving | \$ 45,000 per mile |

POTENTIAL PROJECT LOCATIONS

| | |
|---|-----------------------------|
| Crooks Road, Homestead to South Blvd. | Widen |
| Big Beaver Road, Rochester to Dequindre | Widen to six lane boulevard |
| Livernois Road, Big Beaver to Maple | Resurface |
| John R Road, 14 Mile to Maple Road | Resurface |
| John R Road, Long Lake Road to South Boulevard | Widen to five lanes |
| Livernois Road, Long Lake Road to South Boulevard | Widen to five lanes |
| Livernois, I-75 to Town Center Dr. | Widen to six lane boulevard |
| South Boulevard, Adams Road to Dequindre Road | Widen to five lanes |
| Square Lake Road at Livernois Rd. | Improve intersection |
| Long Lake Road, Adams to east of Coolidge Hwy. | Widen |
| Dequindre Road, Long Lake Rd. to South Boulevard | Widen to five lanes |

ROAD COMMISSION FOR OAKLAND COUNTY
TRI-PARTY PROGRAM
1980-2003

| PROJECT DESCRIPTION | PROJ. C NO. | 1980-84 Tri-Party | 1985 Tri-Party | 1986 Tri-Party | 1987-88 Tri-Party | 1989-91 Tri-Party | 1992-93 Tri-Party | 1994-95 Tri-Party | 1996-97 Tri-Party | 1998-99 Tri-Party | 2000-01 Tri-Party | 2002-03 Tri-Party | PROJ TOTAL |
|---|-------------|-------------------|----------------|----------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|------------|
| TROY (13-Martin J. Knollenberg, 19-Charles E. "Chuck" Palmer, 20-Chuch Moss, 24-George W. Suarez) | | | | | | | | | | | | | |
| 14 Mile @ I-75* | * 32990 | 11,306 | | | | | | | | | | | 11,306 |
| John R-overlay* | * 35291 | | 108,183 | | | | | | | | | | 108,183 |
| Crooks & Livernois-overlays* | * 36161 | | | 132,117 | | | | | | | | | 132,117 |
| Crooks, B Beaver to Wattles-widen to 5 Ins!* | * 36641 | | | 70,759 | | | | | | | | | 70,759 |
| Crooks@B Beaver/John R@Maple-add right turn In!* | * 37501 | | | | 153,934 | | | | | | | | 153,934 |
| 14 Mile, John R-Dequindre* | * 38591 | | | | 63,218 | | | | | | | | 63,218 |
| John R @ Cumberland & Wattles!* | * 38611 | | | | 260,212 | | | | | | | | 260,212 |
| John R @ Wattles!* | * 39591 | | | | | 263,927 | | | | | | | 263,927 |
| Maple @ John R & Chicago!* | * 40201 | | | | | 128,739 | | | | | | | 128,739 |
| 14 Mile, John R to Dequindre-resurface* | * 39601 | | | | | 179,458 | | | | | | | 179,458 |
| Long Lk, I-75 to Livernois-widen to 5 Ins!* | * 40931 | | | | 15,948 | 78,019 | 488,401 | | | | | | 582,368 |
| John R n 14 Mile-reconst median turnarounds* | * 41271 | | | | | | 21,692 | | | | | | 21,692 |
| Livernois, 16 Mile-Town Ctr-widen to 5 In!* | * 42831 | | | | | | | 251,187 | | | | | 251,187 |
| Long Lk @ Beach! CANCEL | 45211 | | | | | | | 0 | | | | | 0 |
| John R n of Long Lake! CANCEL | 45221 | | | | | | | 0 | | | | | 0 |
| Livernois, Wattles-Braemer-widen 2 to 5 In!* | * 45101 | | | | | 128,738 | | 211,137 | 347,802 | 635,617 | 635,618 | | 1,958,912 |
| 14 Mile @ I-75-add dual left turn lanes* | * 43811 | | | | | 0 | | 39,041 | 152,500 | | | | 191,541 |
| Dequindre, Long Lk to Auburn-PE | 46901 | | | | | | | | | | | 42,500 | 42,500 |
| | | | | | | | | | | | | | 0 |
| future project | | | | | | | | | | | | 837,464 | 837,464 |
| TOTAL | | 11,306 | 108,183 | 202,876 | 493,312 | 778,881 | 510,093 | 501,365 | 500,302 | 635,617 | 635,618 | 879,964 | 5,257,517 |
| | | | | | | | | | | | | | 5,257,517 |

*means project is complete and/or has used all the available tri-party
!means the project is being administered by the community

December 23, 2003

TO: The Honorable Mayor and City Council Members

FROM: John Szerlag, City Manager

SUBJECT: Confirmation of Appointment; Mrs. Sandra L. Kasperek as City Treasurer

In conformance with various Charter and Code requirements, I respectfully request your confirmation of my appointment of Mrs. Sandra L. Kasperek as Troy's City Treasurer. Mrs. Kasperek has been employed 8 ½ years with the City of Auburn Hills, serving the last five as Deputy Treasurer. As such she has performed all of the duties of a treasurer in an Oakland County municipality.

Enclosed you will find Mrs. Kasperek's resume of experience and education. I've also enclosed applicable Charter and Code provisions relative to this issue; specifically, Sections 3.9, 3.11(c), and Section 3.13 of the City Charter. Sections 1 and 1.1 of Chapter 3 of our Code is also enclosed.

As always, please feel free to call should you have any questions.

Section 3.9 Administrative Officers:

The administrative officers of the City shall be the City Manager, Attorney, Clerk, Treasurer, Assessor, Police and Fire Chiefs and such additional administrative officers as may be created by ordinance. The Council may, by ordinance, create additional administrative offices and may by ordinance combine any administrative offices in any manner it deems necessary or advisable for the proper and efficient operation of the City, but the Council may not change the duties, powers or responsibilities of the Office of the City Manager as provided herein. The City Manager and Attorney shall be appointed by the Council for an indefinite period, shall be responsible to and serve at the pleasure of the council and the Council shall fix the compensation of those officers.

All administrative officers of the City except the City Manager and Attorney shall be appointed by the City Manager for an indefinite period subject to confirmation by the Council. Such officers shall be responsible to the City Manager, and the City Manager shall fix the compensation therefor in accordance with the budget appropriations and subject to the approval of the Council. Such officers may be discharged by the City Manager with approval of the City Council.

Except as otherwise provided by statute or this Charter, the Council may establish by ordinance such departments of the City as it deems necessary or advisable and shall prescribe therein the functions of each department and the duties, authorities, and responsibilities of the officers thereof. The City Manager may prescribe such duties and responsibilities for the officers responsible to him and for their departments not inconsistent with this Charter, ordinances or resolutions of the City Council.

Section 3.10 City Manager; Appointment and Qualification:

The City Manager shall be the chief administrative officer of the City. He shall be selected on the basis of fitness and ability alone. At the time of his appointment, he need not be a resident of the City or State, but during the tenure of his office, he shall reside within the City. A vacancy in this office shall be filled by the City Council within one-hundred and twenty (120) days.

Section 3.11 City Manager: Functions and Duties:

The City Manager shall be the chief administrative officer of the city government. His functions and duties shall be:

- (a) To be responsible to the Council for the efficient administration of all administrative departments of the city government except the department under the direction of the attorney;
- (b) To see that all laws and ordinances are enforced;
- (c) To appoint, with the consent of the Council, the heads of the several city departments whose appointment is not otherwise specified in this charter, and to discharge such department heads without the consent of the Council, and to direct and supervise such department heads;
- (d) To give to the property department or officials ample notice of the expiration or termination of any franchises, contracts or agreements;
- (e) To see that all terms and conditions imposed in favor of the city or its inhabitants in any public utility franchise, or in any contract, are faithfully kept and performed;
- (f) To recommend an annual budget to the Council and to administer the budget as finally adopted under policies formulated by the Council, and to keep the Council fully advised at all times as to the financial condition and needs of the city;
- (g) To recommend to the Council for adoption such measures as he may deem necessary or expedient; and to attend Council meetings with the right to take part in discussions but not to vote;
- (h) To exercise and perform all administrative functions of the city that are not imposed by this charter or ordinance upon some other official;
- (i) To be responsible for the maintenance of a system of accounts of the city which shall conform to any uniform system required by law and by the Council and to generally accepted principles and procedure of governmental accounting.

- (j) To perform such other duties as may be prescribed by this Charter or as may be required of him by ordinance or by direction of the Council.

Section 3.12 Acting City Manager:

The Council may appoint or designate an Acting City Manager during the period of a vacancy in the office or during the absence of the City Manager from the city. Such Acting Manager shall, while he is in office, have all the responsibilities, duties, functions and authority of the City Manager.

Section 3.13 Relationship of Council to Administrative Service:

Neither the Council nor any of its members or committees shall dictate the appointment of any person to office by the City Manager or in any way interfere with the City Manager or other city officer to prevent them from exercising their judgment in the appointment or employment of officers and employees in the administrative service. Except for the purpose of inquiry, the council and its members shall deal with the administrative service solely through the City Manager, and neither the council nor any member thereof shall give orders to any of the subordinates of the City Manager.

Section 3.14 Clerk: Functions and Duties:

- (a) The Clerk shall be the Clerk of the Council and shall attend all meetings of the Council and shall keep a permanent journal of its proceedings in the English language.
- (b) The Clerk shall be custodian of the city seal, and shall affix it to all documents and instruments requiring the seal, and shall attest the same. He shall also be custodian of all papers, documents, and records pertaining to the city the custody of which is not otherwise provided for.
- (c) The Clerk shall certify by his signature all ordinances and resolutions enacted or passed by the Council.
- (d) The Clerk shall provide and maintain in his office a supply of forms for all petitions required to be filed for any purpose by the provisions of this charter.

CHAPTER 3 - ADMINISTRATIVE SERVICE

1. Division of Administrative Service. The administrative service of the City shall be under the supervision and direction of the City Manager, except as otherwise provided by the City Charter, and shall be divided into the following offices and departments, each of which shall be the responsibility of and under the control of a head as listed opposite such office or department:

ADMINISTRATIVE OFFICERS

| <u>Office or Department</u> | <u>Official Head</u> |
|-----------------------------|----------------------|
| Office of Clerk | City Clerk |
| Office of Assessor | City Assessor |
| Office of Treasurer | City Treasurer |
| Department of Police | Police Chief |
| Department of Fire | Fire Chief |
| Department of Law | City Attorney |

(Rev. 5-1-78)

- 1.1. The following City employees shall be responsible for certain functions as provided in this Chapter but shall not be deemed administrative officers as the term is defined in section 3.9 of the Charter.

| <u>Office or Department</u> | <u>Official Head</u> |
|-----------------------------|---------------------------------------|
| Department of Finance | Finance Director |
| Department of Health | Health Officer |
| Department of Public Works | Director of Public Works |
| Division of Engineering | City Engineer |
| Department of Building | Director of Buildings and Inspections |
| Division of Water and Sewer | Superintendent of Water and Sewer |

(Rev. 5-1-78)

CLERK

- 1.2. Office of Clerk. This office shall be headed by the City Clerk, who shall serve as Clerk of the Council and perform such other duties for the Council as may be required by it. He shall be responsible for the publication, filing, indexing and safe keeping of all proceedings of the Council. (Rev. 5-1-78)
- 1.36. Election Records. He shall keep and maintain all election records and have custody of all property used in connection with elections.
- 1.37. Other Duties. He shall publish all legal notices unless otherwise provided; collect all license fees required by ordinance or statute except as otherwise provided; be the custodian of the official seal; and notify the appointing authority of any board or commission thirty (30) days prior to the expiration of the term of office of any member thereof.

SANDRA L. KASPEREK

55371 Hearthside Drive
Shelby Twp., MI 48316
(586) 781-9299

November 17, 2003

City of Troy
Human Resources Department
500 W. Big Beaver
Troy, MI 48084-5254

Subject: City Treasurer Position

Dear Human Resource Director:

I am forwarding the enclosed resume in application for the position of City Treasurer described on your website.

Review of the attached resume highlights qualifications in the following areas:

- Supervise the collection and disbursement of tax revenues to taxing entities.
- Process and balance receivables and post daily activity to the general ledger.
- Direct departmental activities and organize multiple priorities.
- Develop a close working relationship with all city departments to guarantee accuracy in journal entry and reconciliation of the city's funds.
- Collaborate with department personnel/vendors to create and nurture partnerships/relationships in an effort to provide extraordinary customer service to our businesses, residents, and visitors.
- Collaborated with the Oakland County IT Division to help them develop a new TIFA distribution report that could be used as a tool by treasurers to make more accurate tax distributions throughout the tax season.
- Office automation and computerized financial applications.
- MUNIS, Microsoft Excel, Word, and Oakland County Tax software.

I have earned the respect of my colleagues and supervisors as a team player with a positive attitude, initiative, and the ability to get things done. I am confident that my education and experience will be beneficial to you.

I trust that my application will receive favorable consideration and am eager to meet with you to further discuss my qualifications. If you should have any questions or require additional information, I may be reached at (586) 781-9299.

Sincerely,



Sandra L. Kasperek, CMFA

Enclosure: Resume

SANDRA L. KASPEREK

55371 Hearthside Drive
Shelby Twp., MI 48316
(586) 781-9299

HIGHLIGHTS of QUALIFICATIONS

Success oriented with high energy and a positive attitude
Excellent interpersonal and communication skills
Enthusiastic, responsible, and self-motivated
Strong supervisory and organizational skills
Professional, diplomatic, and tactful

PROFESSIONAL EXPERIENCE

Deputy Treasurer

- Collect, settle, and distribute tax revenues to multiple taxing entities including four school districts, county, state, and local jurisdictions according to guidelines established by taxing entities and through abatement, TIF (tax increment financing), and brownfield agreements.
- Calculate and prepare Public Act 189 tax statements.
- Work closely with the Assessor's Office verifying the accuracy of all warrants. These include Ad Valorem, PA 189, Brownfield, Industrial Facilities, Commercial Facilities, and Tech Park Facilities warrants.
- Verify changes to tax bills as requested by the Assessor's Office due to land divisions and combinations, July and December Boards of Review, and other findings.
- Reconcile Oakland County monthly settlements which include delinquent personal property payments, Michigan Tax Tribunal and State Tax Commission payments and refunds.
- Reconcile operating, tax and payroll bank accounts on a monthly basis.
- Review cash, investment, and payroll account monthly reports for accuracy.
- Reconcile golf course credit card transaction activity and prepare report for journal entry.
- Review payroll reports and calculate the amount to transfer to payroll checking.
- Review purchase order proof listing and invoices for accuracy of mathematical computations and proper authorization.
- Prepare and sign checks. Send positive pay bank file electronically.
- Transact investment purchases and redemptions.
- Perform electronic fund transfers.
- Prepare supporting schedules for auditors and assist auditors in the audit process.
- Verify daily total receipts balance with daily reports.
- Follow up on NSF checks to minimize losses.
- Assist with department's budget preparation.
- Share administration and operation of a five-member office team. Supervise three full-time employees.

Information Technology Committee

- Review and adopt standards for workstations, laptops, and printers.
- Discuss IT requests for new technology such as scanning capabilities, wireless access, new software applications, new equipment, web page redesign, etc. and make recommendations.
- Interview applicants for positions on the IT team.

SANDRA L. KASPEREK

Page 2

PROFESSIONAL EXPERIENCE

Executive Assistant - City Manager's Office

- Conducted Business Retention Program site visits with the Economic Development Director.
- Assisted Economic Development Director in the coordination of city's annual job fair conducted to support local businesses in their recruitment process.
- Coordinated preparation and distribution of materials to City Council members for meetings.
- Assisted with Annual Budget preparation and supporting documentation.
- Interacted with all levels of government officials, business executives, the general public, and staff.

Employment Resources Coordinator / Program Training Specialist

- Developed and maintained effective working relationships with business and academic communities.
- Developed a good rapport with schools / employers providing training and monitored client participation.
- Assisted clients with resumes, cover letters, job development, and job placement.
- Ability to establish and maintain operational and program objectives within the framework of legislated functions.
- Entered and updated intake and referral information in a database.
- Compiled and reported monthly statistics for Staff and Operations Committees.
- Trained new personnel in policies and procedures.

EDUCATION

| | | |
|--|---|------|
| Certified Municipal Finance Administrator | CMU and MI Municipal Treasurers Association | 4/03 |
| MSA, Information Resources Management | Central Michigan University, Clinton Twp., MI | 5/01 |
| BS, Public Administration / General Business | Oakland University, Rochester, MI | 4/94 |

PROFESSIONAL ORGANIZATIONS

- Oakland County Treasurers Association
- * Michigan Municipal Treasurers Association
- The Association of Public Treasurers of the United States and Canada
- * Michigan Municipal Finance Officers Association

EMPLOYMENT HISTORY

| | | |
|--|---------------------|----------------|
| City of Auburn Hills | Auburn Hills, MI | 6/95 - Present |
| Troy Career Center | Troy, MI | 4/94 - 6/95 |
| Oakland Jobs Training 2000 Center (One Stop Shop Pilot) | Madison Heights, MI | 4/93 - 10/94 |

December 22, 2003

TO: Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Gary A. Shripka, Assistant City Manager/Services
Mark Stimac, Building and Zoning Director
Mark F. Miller, Planning Director

SUBJECT: ZONING ORDINANCE TEXT AMENDMENT (ZOTA-180) – Articles 40.57.05, 40.57.06 Height Limits for Amateur Radio Antennas

The Troy City Council passed the following resolution at the November 24, 2003 City Council meeting:

Resolution #2003-11-598

Moved by Howrylak

Seconded by Pryor

RESOLVED, That Troy City Council **DIRECTS** City Management to **DRAFT** a Zoning Ordinance Text Amendment (ZOTA-180) Articles 40.57.06, 43.77.00 and 43.80.00 – Height Limits for Amateur Radio Antennas and brought back for consideration at the Regular City Council meeting scheduled for Monday, December 15, 2003 consistent with the following:

Amateur radio antenna support structures are allowed in the City of Troy up to a height of 75 feet if used in accordance with the terms of a valid Amateur Radio Service License issued by the Federal Communications Commission or permitted under Federal Regulation by a reciprocal agreement with a foreign country, provided that: (1) the antenna support structure is not used or licensed for any commercial purpose; (2) the antenna support structure must be removed if the owner moves and the new resident is not a licensed radio operator; (3) the antenna support structure or antenna may not intrude into the setback as if a plane were drawn vertically on the setback line; and (4) the support structure or antenna may be permitted in the setback area to minimize visual impact, upon special use permit issued by the Troy City Council.

Yes: All-7

On December 15, 2003, City Council clarified the following:

- Amateur radio antenna will continue as an accessory structure with regard to setback requirements.
- Proposed height limit for amateur radio antenna and tower is 75 feet.
- Continue Board of Zoning Appeals variance process for request higher than the proposed maximum height, 75 feet.
- Building Department will review as part of the permit process antenna and tower requests that are 75 feet or less.

City Management prepared a zoning ordinance text amendment that includes simple and straightforward language to accomplish City Council's direction. The text amendment is attached to this memorandum. Councilwoman Stine requested that a photograph be provided that shows an example of a 75-foot antenna. In response, there are two photographs attached for City Council's information. A resolution has been prepared, which adopts the City Council version of the proposed zoning ordinance text amendment.

Attachments:

1. Proposed Zoning Ordinance Text Amendment (ZOTA 180)
2. Photographs (2)

cc: Phil Ode
COTHA
Planning Commission
File/ZOTA 180

PROPOSED ZONING ORDINANCE TEXT AMENDMENT

(ZOTA 180)

Height Limits for Amateur Radio Antennas – City Council Version

Amend the indicated portions of the General Provisions – Accessory Buildings and Structures text in the following manner:

(Underlining, except for major section titles, denotes changes.)

40.55.00 ACCESSORY BUILDINGS AND STRUCTURES

40.57.05 No detached accessory building or structure except antennas, dog houses or cabanas shall be located closer than ten (10) feet to any main building, nor shall any accessory building or structure be located closer than six (6) feet to any side or rear lot line. In those instances where the rear lot line is coterminous with an alley right- of-way, the accessory building or structure shall not be closer than six (6) feet to such rear lot line. In no instance shall an accessory building or structure be located within a dedicated easement or right- of-way.

40.57.06 No detached accessory building or structure, in any Residential, C-F, B-1, and P-1 District shall exceed one (1) story or fourteen (14) feet in height. Ground mounted amateur radio antennas are permitted up to a height of 75 feet if used in accordance with the terms of a valid Amateur Radio Service License issued by the Federal Communications Commission or permitted under Federal Regulation by a reciprocal agreement with a foreign country. Other ~~p~~Pole, mast type antennas may, however, be permitted to be constructed to a height equal to the permitted maximum height of structures in these Districts. Pole, mast, whip, or panel type antennas which are roof-mounted or attached to a building shall not extend more than twelve (12) feet above the highest point of a roof. Satellite dish antennas in Residential Districts, which extend more than fourteen (14) feet in height or fourteen (14) feet above grade, shall not exceed twenty four (24) inches in diameter. Satellite dish and amateur radio antennas shall be placed so that rotation can occur without encroachment into the required six (6) foot setback as provided in Section 40.57.05.



ESTIMATED ANTENNA
HEIGHT 70 FT

ANTENNAS

MAST

STRUCTURE



RECEIVED

December 11, 2003

TO: Honorable Mayor and City Council

CITY OF TROY
CITY MANAGER'S OFFICEFROM: John Szerlag, City Manager
Gary A. Shripka, Assistant City Manager/Services
Doug Smith, Real Estate and Development Director
Dennis C. Stephens, Right of Way Representative

SUBJECT: City Owned Surplus Parcels

The Real Estate and Development Department has reviewed the list of city owned property and have determined that there are 29 surplus parcels available that can be sold.

City owned property can be sold by public bid offering, or by using the city's remnant parcel sale guidelines, which allows the sale of a parcel to an abutting property owner for development (Resolution #85-254). Any sale of an individual parcel will be brought back to council for approval.

The attached chart recommends city management's preferred avenue of pursuing the sale of these city owned surplus properties. Parcel's that are un-buildable due to size or shape have been recommended to be sold by the Remnant Parcel Guidelines. There are some parcels that alone are buildable, but have been recommended for remnant parcel sale (shaded in the chart), because generally the quality and size of the building resulting from combining with abutting parcels would be a more preferable development for the City.

The next step is to establish minimum bid amounts and surplus parcel values. Management would recommend, and request authorization to have each parcel appraised by an independent fee appraiser (using a short form). We will request proposals from area appraisers on Michigan Department of Transportation's approved appraiser list. We estimate that appraisal costs will be approximately \$500.00 each, or a total of \$15,000.00.

Being pro-active with respect to the sale or lease of city owned surplus property would achieve positive results for the city, including increasing the property tax base, lowering insurance holding costs, lowering maintenance costs. Sale proceeds could be used to offset a short fall of funds for park development or for the general fund.

DCS/pg

F-6

CITY OWNED PROPERTY

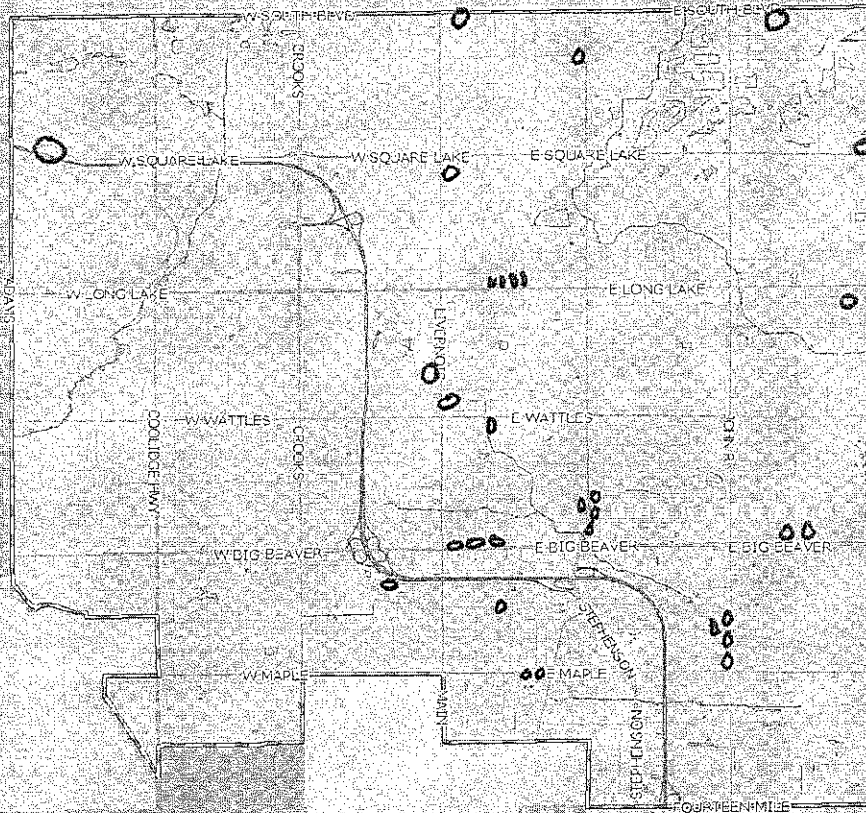
| PIN # | APPROXIMATE SIZE | RECOMMENDED METHOD OF DISPOSAL | LOCATION | REMARKS |
|--------------------------|---|-----------------------------------|--|--|
| 1-476-032 | 29,500 SQ. FT. B-1 | Sealed bid with minimum bid price | Northwest Corner of Square Lake and Dequindre | |
| 3-226-022 | 30,400 SQ. FT. 75,000 per build site R-1C | Sealed bid with minimum bid price | Northwest Corner of Rochester & Lovell | Hold until after Condemnation Trial Scheduled for 12-04-03 |
| 10-101-018 | 16,192 SQ. FT. O-1 | Sealed bid with minimum bid price | Southeast Corner of Livernois & Cutting | Old fire station #2 Now vacant land |
| 10-452-007 10-452-010 | 109,254 SQ. FT. R-1C | Sealed bid with minimum bid price | North Side of Long Lake, West of Somerton | Can be split into four parcels |
| 10-452-014 | 17,562 SQ. FT. R-1C | Sealed bid with minimum bid price | Northwest Corner of Long Lake & Somerton | One parcel |
| 10-477-017 | 30,756 SQ. FT. 50,000 per build site R-1C | Sealed bid with minimum bid price | North Side of Long Lake, East of Somerton | Can be split in to two building sites |
| 16-476-027 & -028 | 36,824 SQ. FT 60,000 per build site R-1B | Sealed bid with minimum bid price | Southwest Corner Livernois Paragon issue of access to Livernois | Needs a variance of appx. 9' for 2 parcels |
| 13-227-008 | 9,750 SQ. FT. R-1C | Sealed bid with minimum bid price | Lot 181 of Windmill Pointe Sub | We do not need to keep this any longer |
| 24-352-041 | 34,500 SQ. FT. R-1E | Sealed bid with minimum bid price | North Side of Big Beaver, East of John R | |
| 24-451-029 | 13,613 SQ. FT. R-1E | Sealed bid with minimum bid price | North Side of Big Beaver, West of Waterfall | Needs sanitary sewer to be buildable |
| 15-352-006 | 15,406 SQ. FT. R-1C | Sealed bid with minimum bid price | Northeast corner of Livernois & Leetonia | Improved with home |

| | | | | |
|----------------------|--|------------------------|---|---|
| 22-356-031 & road | 9,016 SQ. FT. O-1 | Remnant parcel sale | North side of Big Beaver between Louis & Troy | Un-buildable because of size & shape |
| 22-357-031 | 13,500 SQ. FT. O-1 | Remnant parcel sale | North side of Big Beaver between Troy & Frankton | Un-buildable because of size & shape |
| 22-358-028 | 9,028 SQ. FT. O-1 | Remnant parcel sale | Northwest Corner of Frankton & Big Beaver | Un-buildable because of size & shape |
| 22-426-057 | 17,814 SQ. FT. need zoning change B-2 to B-1 | Remnant parcel sale | Southwest Corner of Vanderpool & Rochester | Combining with abutting property will attain highest & best land use |
| 23-351-001 & 002 | 3,990 SQ. FT. & 3,569 SQ. FT. or 7,559 TOTAL B-2 | Remnant parcel sale | Northeast Corner of Boyd & Rochester | Fox Portrait /Oakes Remnant Un-buildable because of size & shape |
| 23-352-035 & -037 | 10,976 SQ. FT. B-2 | Remnant parcel sale | Northeast Corner of Hartland & Rochester | Roses of Troy Remnant Un-buildable because of size & shape |
| 26-429-045 | 9,430 SQ. FT. M-1 | Remnant parcel sale | West Side of John R between Larchwood & Brinston | Combining with abutting property will attain highest & best land use |
| 26-433-019 & -020 | 20,500 SQ. FT. M-1 | Remnant parcel sale | Northwest Corner of Arthur & John R | Combining with abutting property will attain highest & best land use |
| 26-483-053 | 16,686 SQ. FT. M-1 | Remnant parcel sale | Northwest Corner of Maple & John R | Un-buildable because of size & shape |
| 34-201-003 | 6,214 SQ. FT. M-1 | Remnant parcel sale | South Side of Maple Between Combermere & Rochester | Un-buildable because of size & shape |

| | | | | |
|---------------------------|----------------------------|--|---|--|
| 34-201-009 | 10,824 SQ. FT. M-1 | Remnant parcel sale | South Side of Maple Between Combermere & Rochester | Un-buildable because of size & shape |
| 27-155-013 | 7373 SQ. FT. R-1E | Remnant parcel sale | Hickory East of Livernois | Un-buildable because of size & shape |
| 28-276-045, 046, & 047 | 43,940 SQ. FT. R-1C | Existing Cell tower lease/possible 2 nd tower site | South of I-75/East end of Lowery St. MDOT tower lease | |
| 06-376-001 | 100,000 SQ. FT. R-1A | Lease-possible cell tower site | North of I- 75/South Side of Sq. Lake/between Beach & Adams | Long ½ narrow pear shape |
| 26-477-042 | 9,200 SQ. FT. M-1 | Remnant parcel sale/or Limited sealed bid | South Side of Woodslee between John R & Alger | Has been appraised/3 interested parties |
| 22-101-012 | 45,000 SQ. FT. R-1C | Split front off front 180 x 250 | South side of Wattles/East of Livernois | Parcel with house/ Drain comm. Owned/Split & sell frontage |
| 03-126-006 | 41,600 Sq. Ft. R-1B | Remnant parcel | Donaldson & South Blvd. | un-buildable due to large water main easement – best use to combine with parcel next door as yard |
| 23-354-048 | 13,249 SQ. FT. B-3 | Remnant parcel | Southeast Corner of Hartland & Rochester | Combining with abutting property will attain highest & best land use |

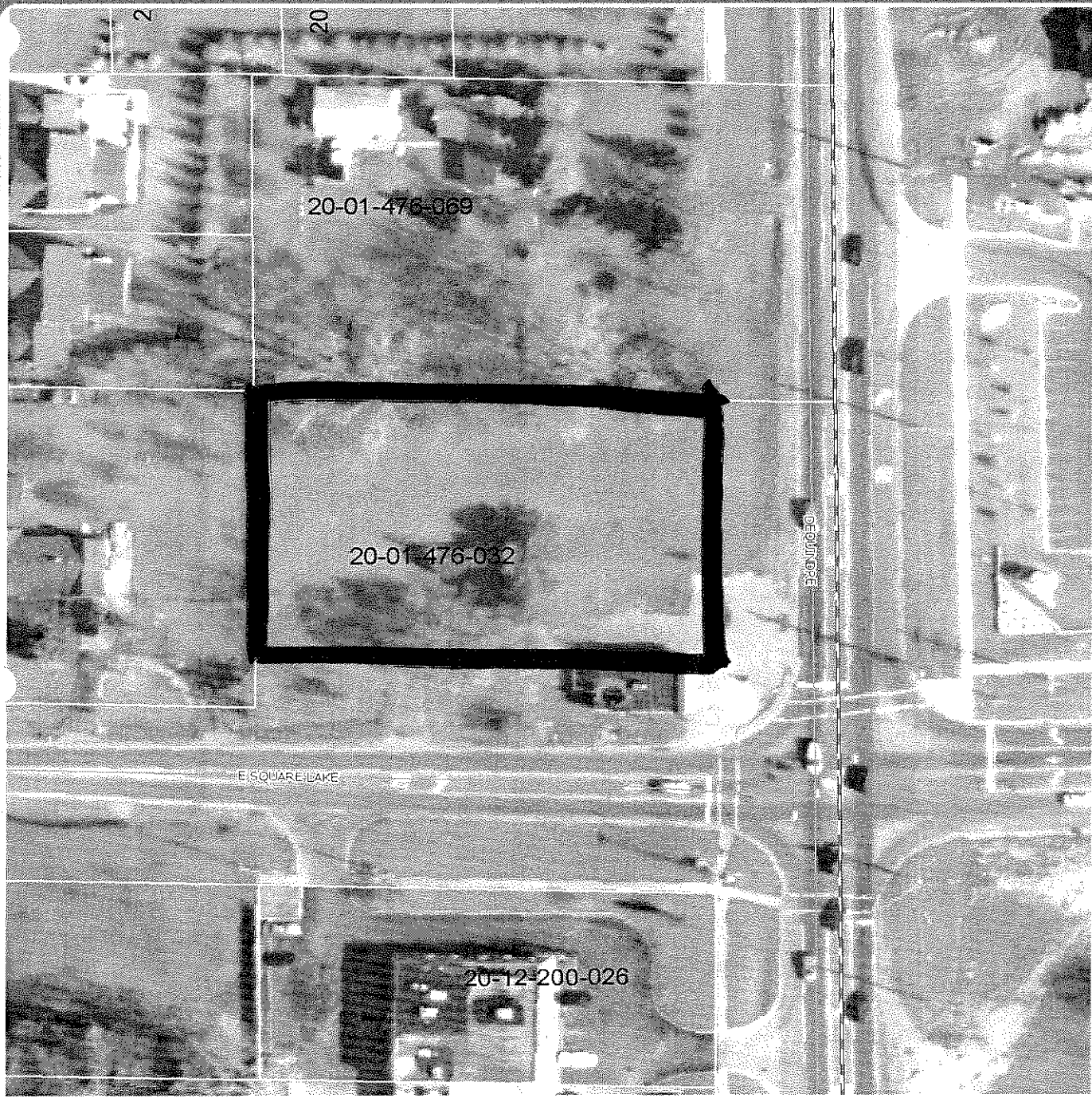


Geographical Information Systems Online



Note: The information provided by this application has been compiled from recorded deeds, plats, tax maps, surveys, and other public records and data. It is not a legally recorded map survey. Users of this data are hereby notified that the source information represented should be consulted for verification.





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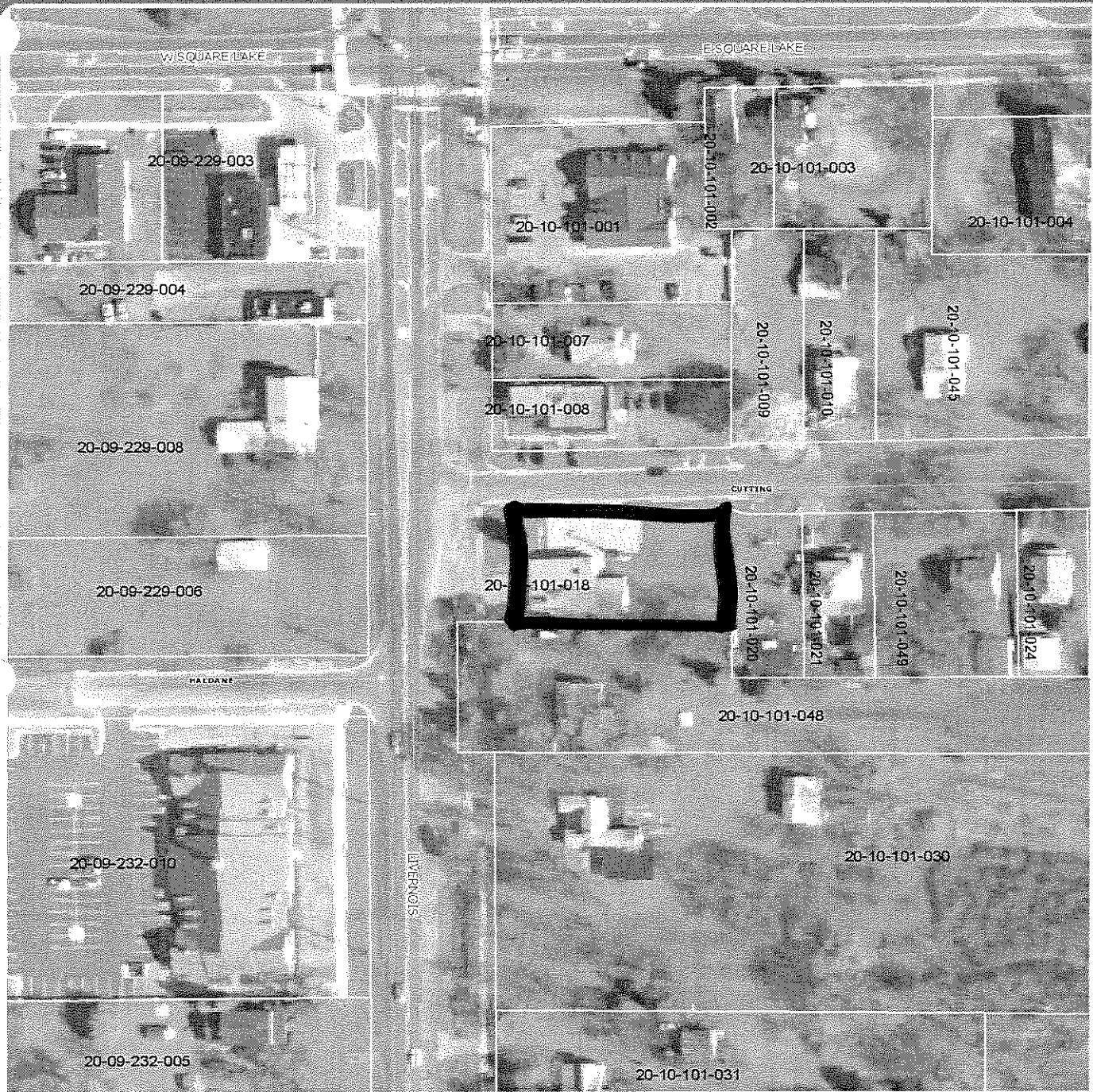


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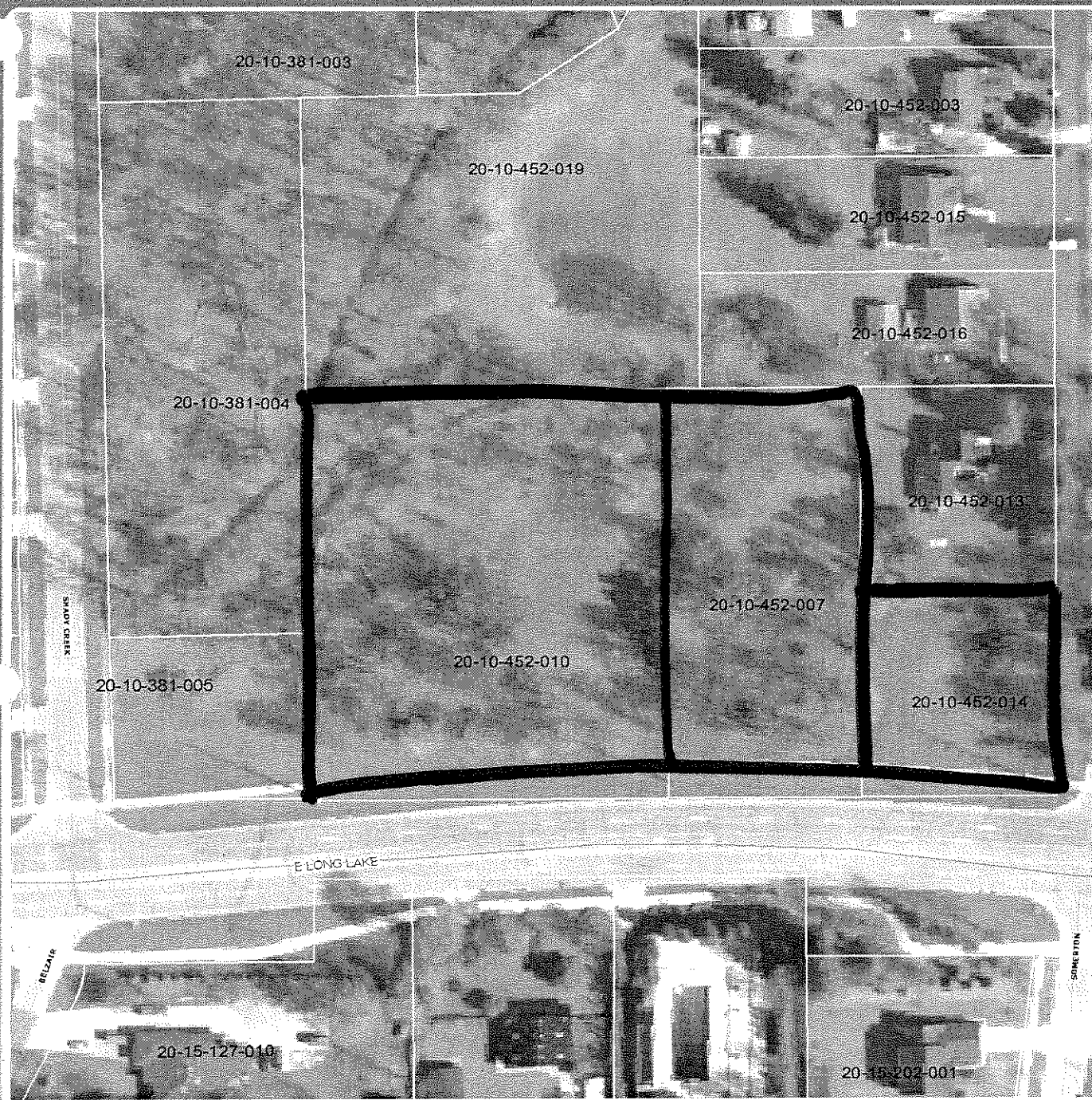


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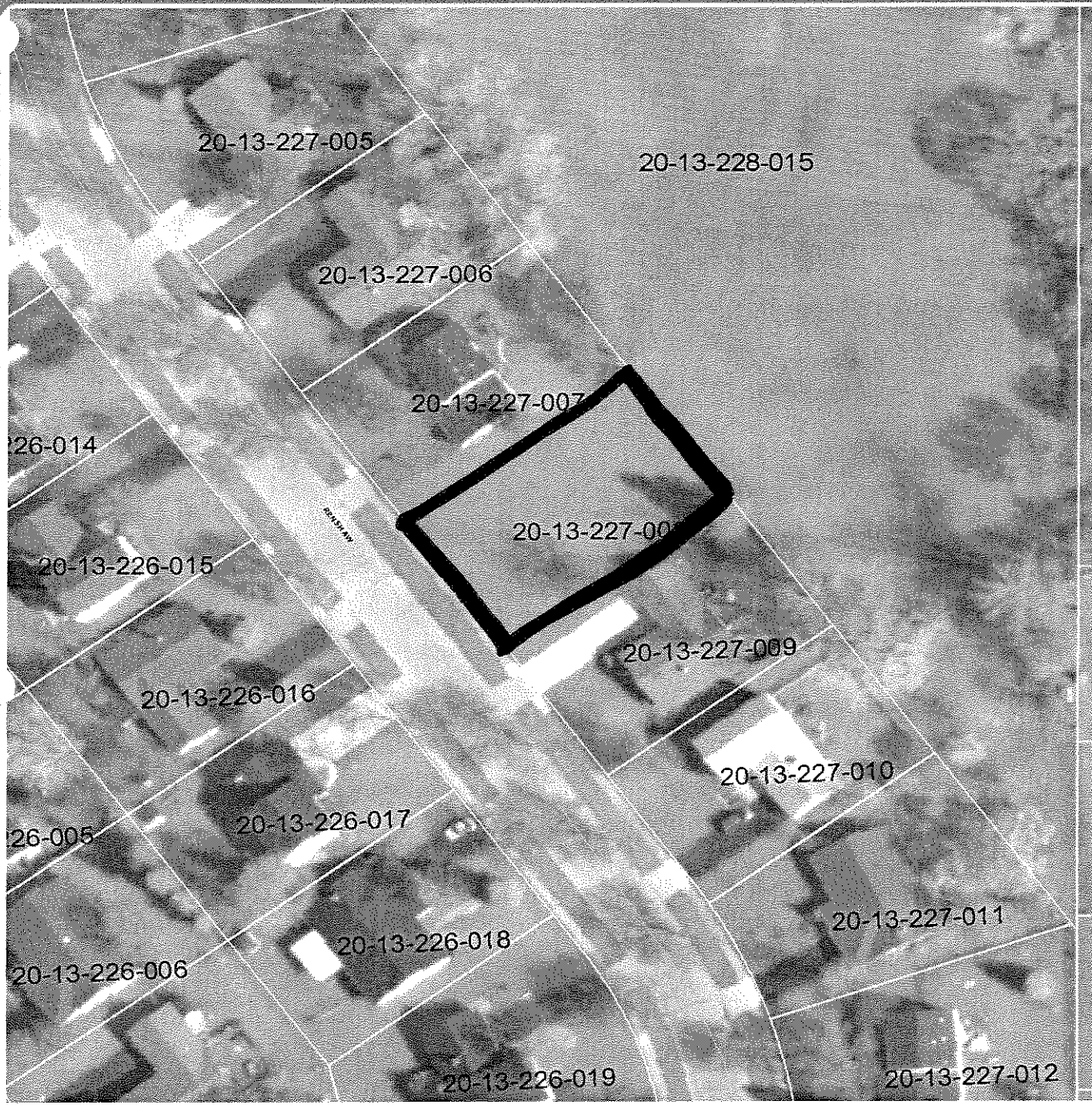


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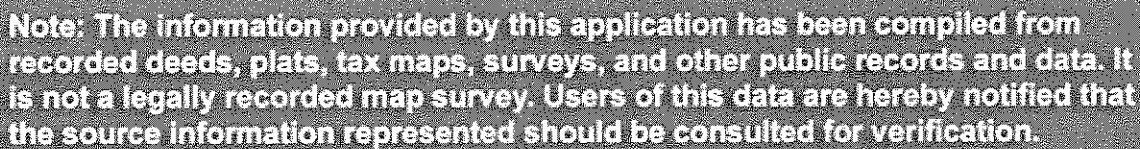
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20-15-352-005

20-15-352-006

LIVERNOIS

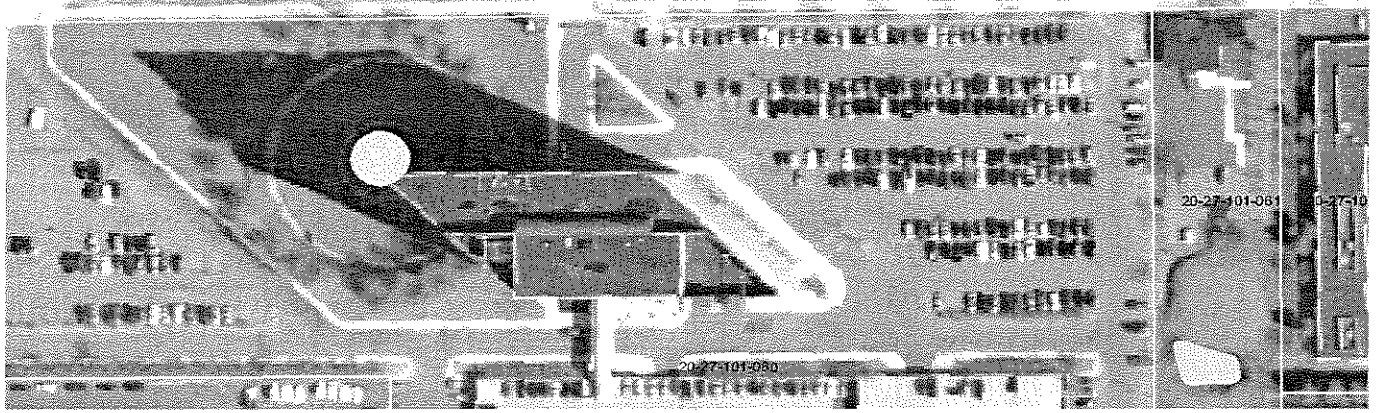
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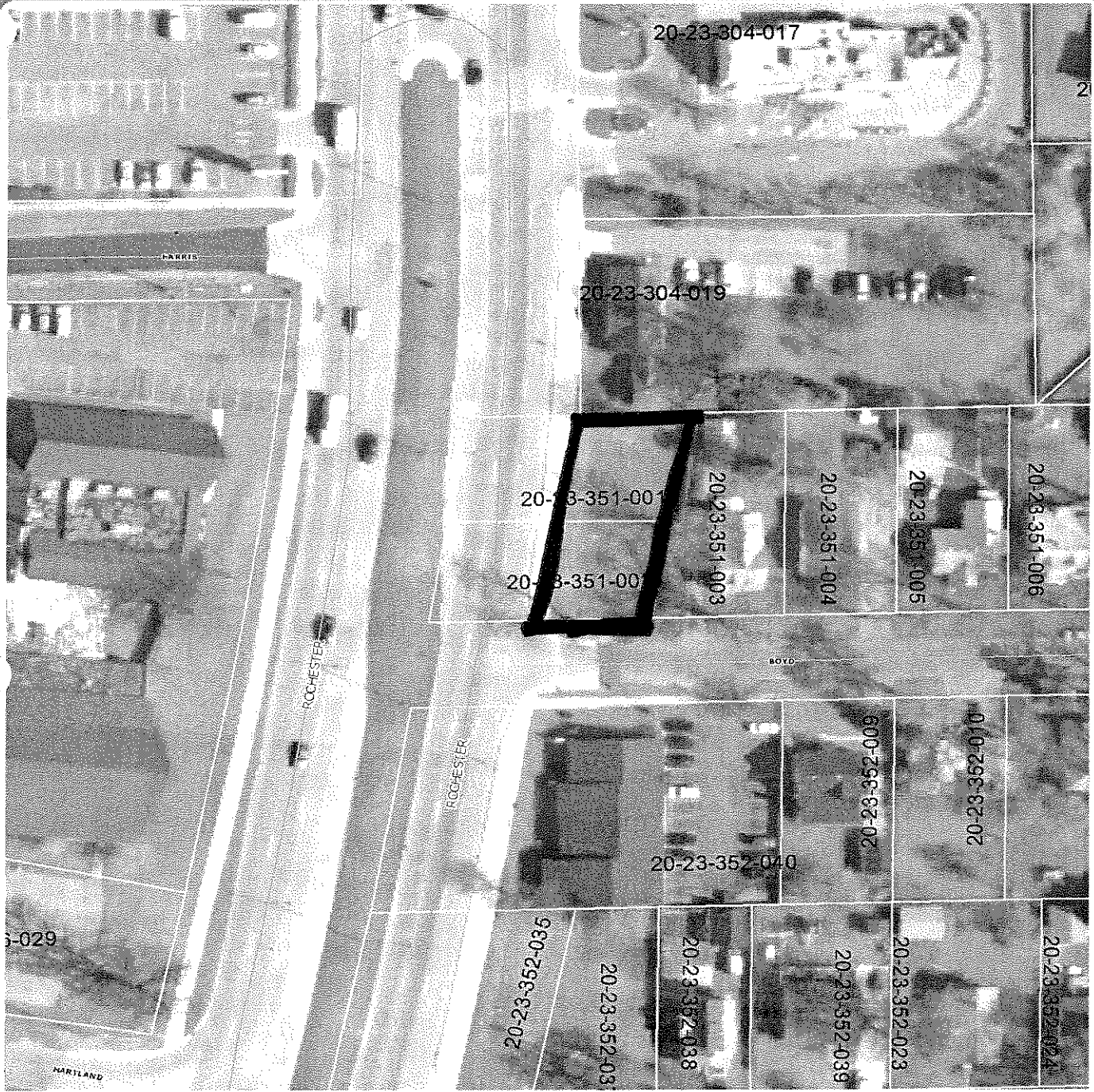
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Geographical Information Systems Online



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20-26-429-038

20-26-429-039

20-26-429-033

20-26-429-045

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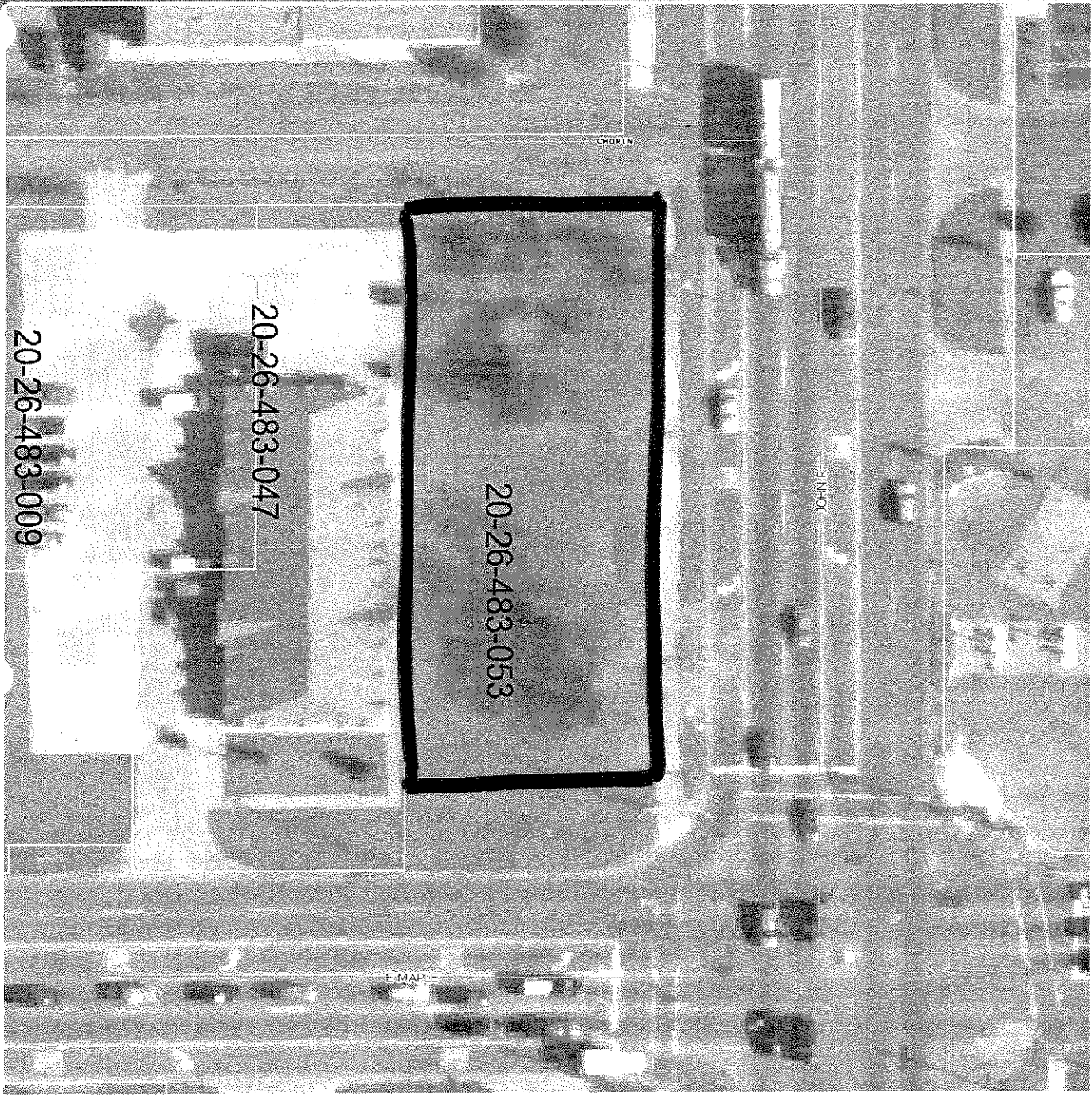


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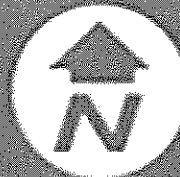


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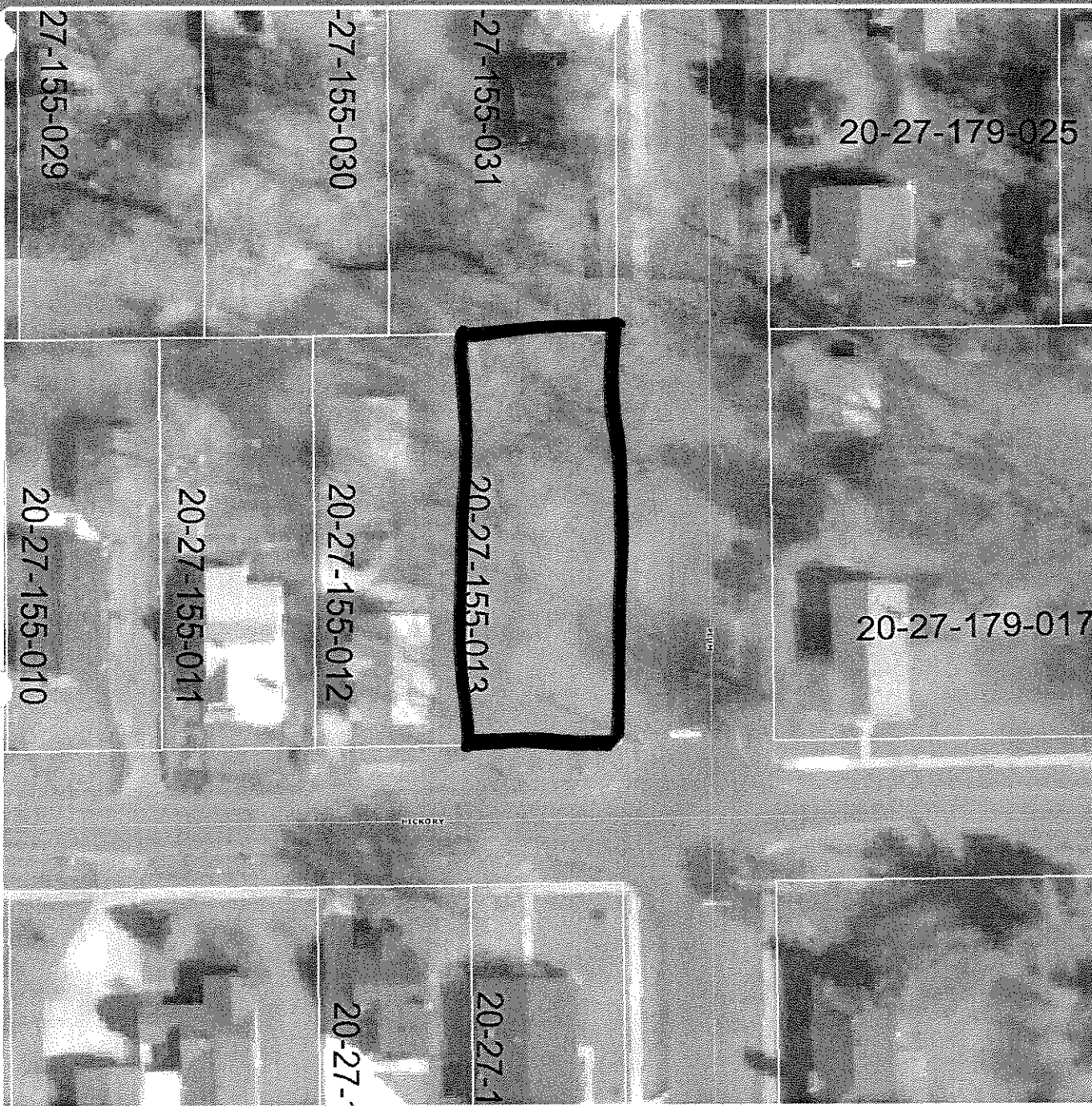
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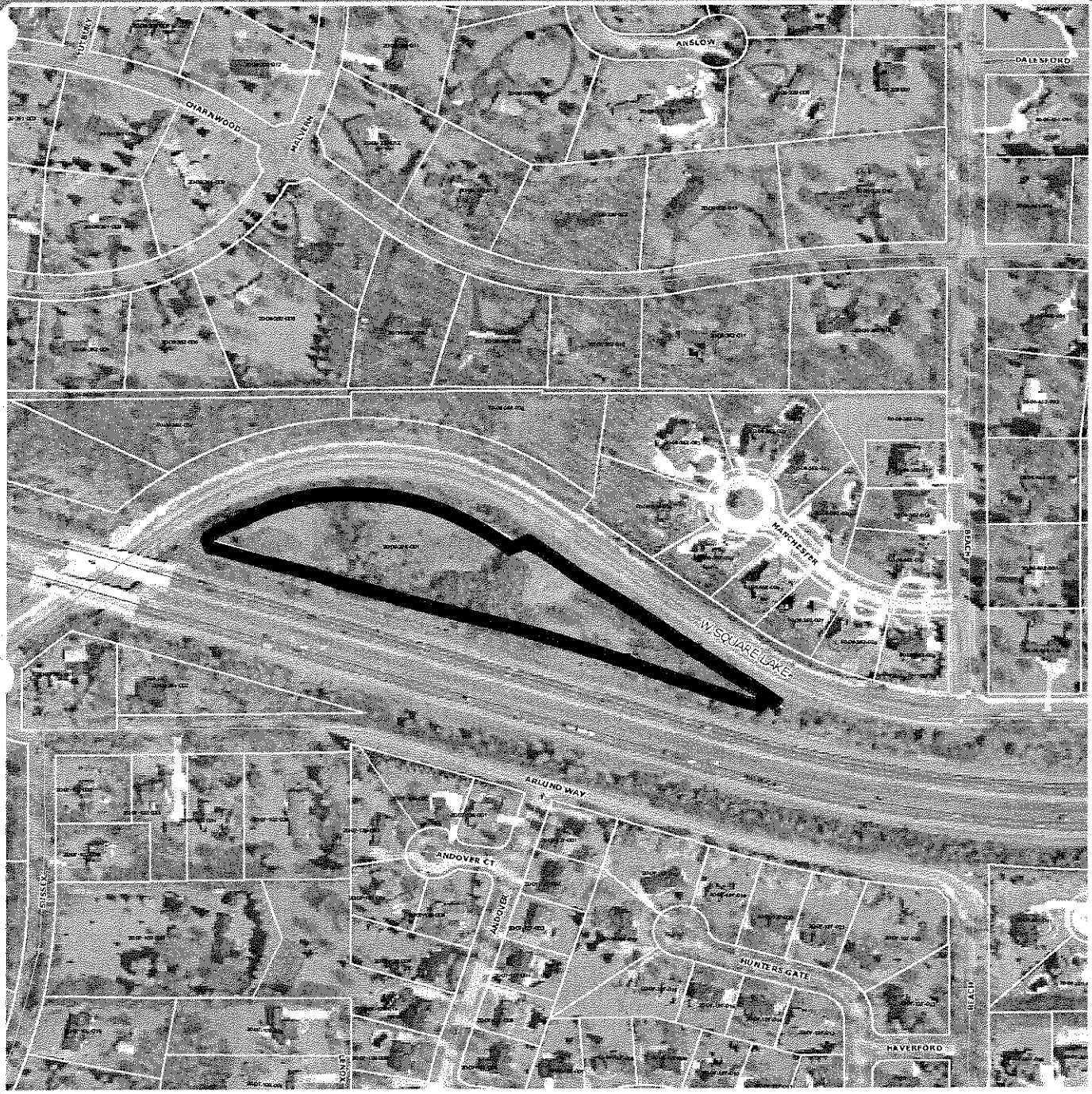
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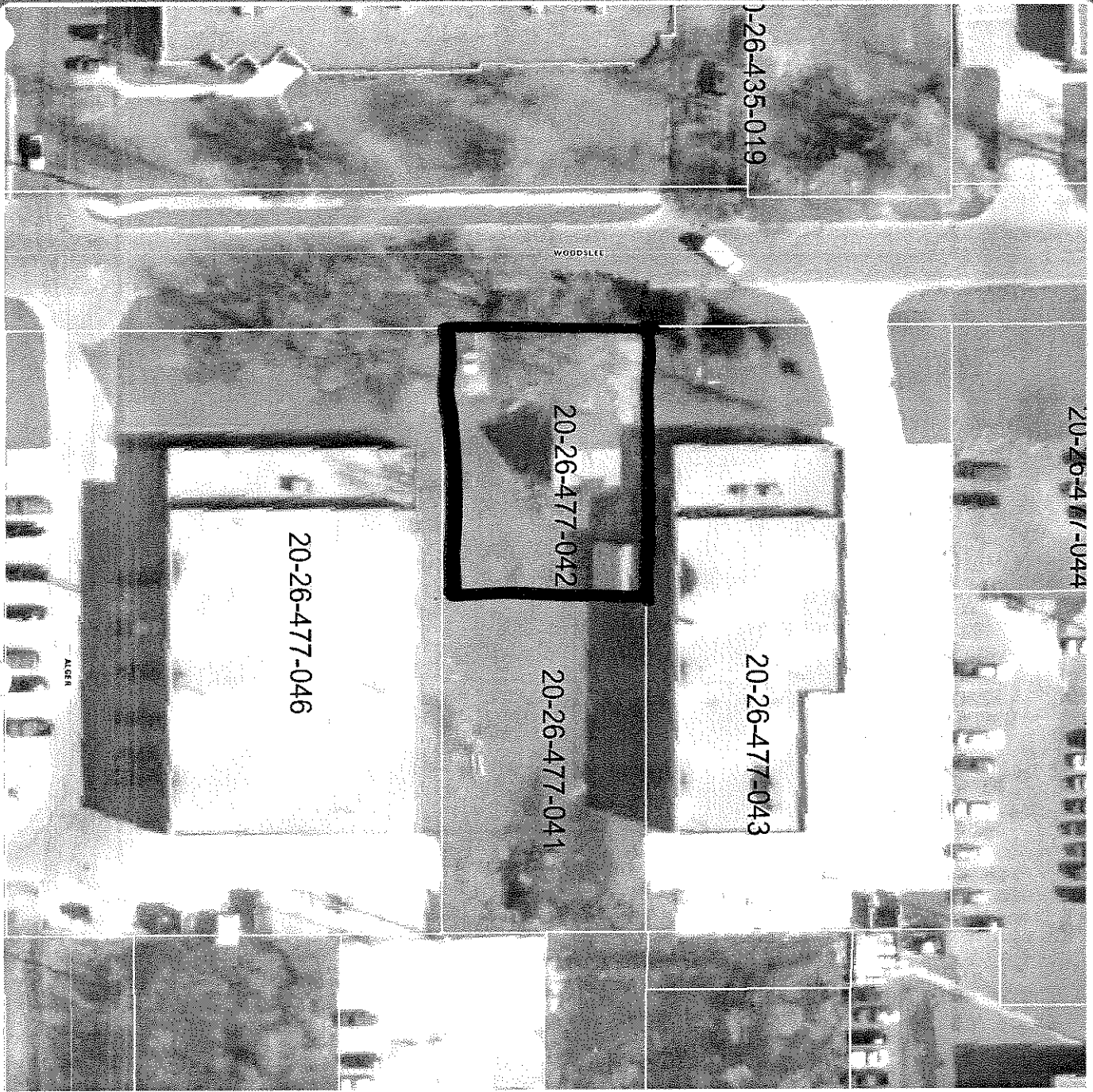
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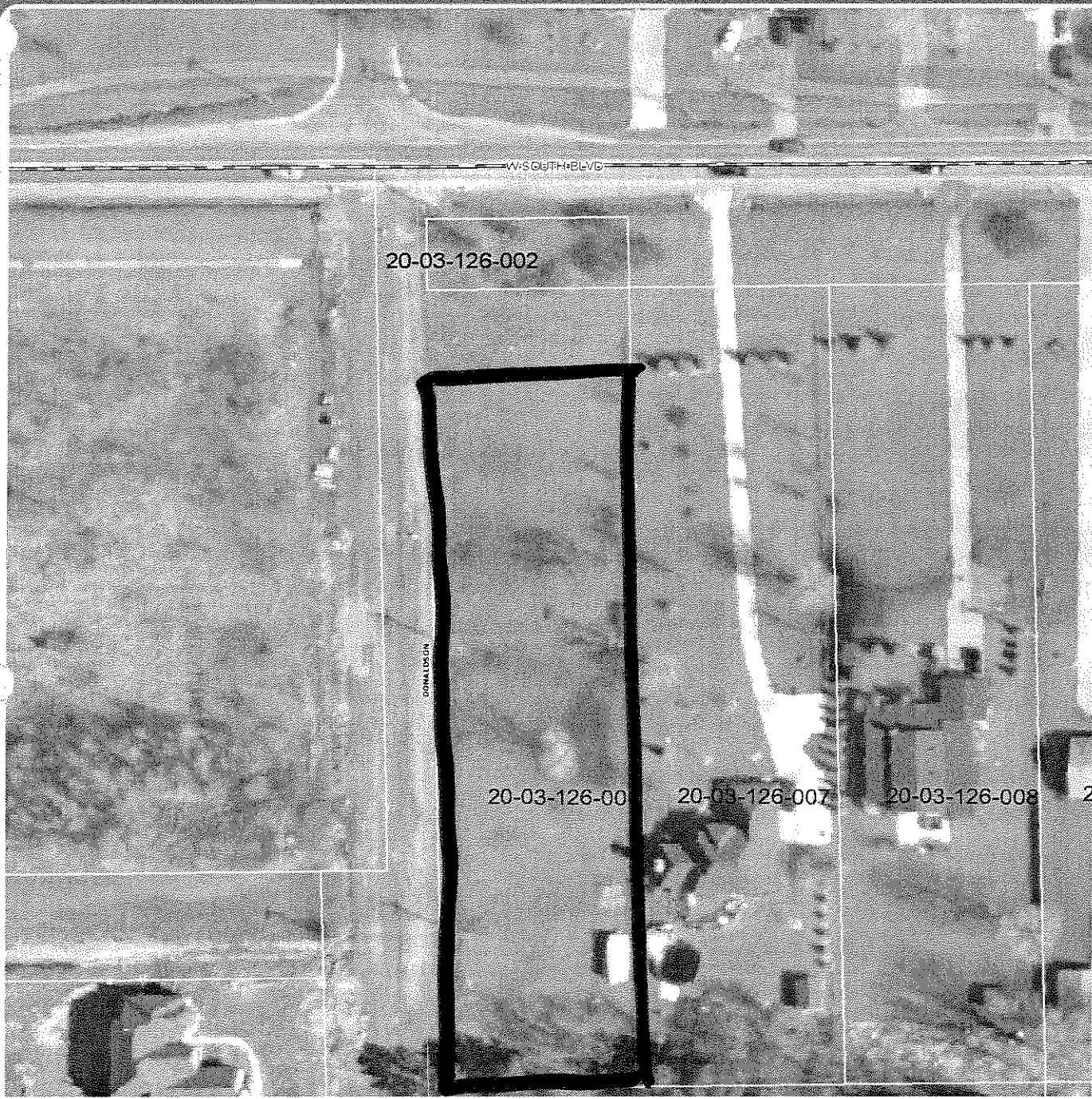


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Memorandum

To: Honorable Mayor and City Council

From: John Szerlag, City Manager
Lori Grigg Bluhm, City Attorney
John M. Lamerato, Assistant City Manager/Finance and Administration
Tonni L. Bartholomew, City Clerk

Date: December 30, 2003

Re: Election Consolidation Legislation

City Council, at their Regular Council meeting on December 15, 2003, directed City Administration to revisit the proposed Charter Amendment ballot language submittals for clarification. Under that direction, City Administration has reviewed and redrafted the attached proposals for Council consideration.

Subsequent to the above noted directive, the Michigan State Legislature adopted 12 bills pertaining to Election Consolidation. Governor Granholm is expected to sign the bills in early January. The Election Consolidation Legislation has a significant impact on the City of Troy and the election administration process as addressed by City Charter. The Election Consolidation Legislation also has potential impact on the proposed Charter Amendments.

While there is minimal conflict between the proposed Charter Amendments and the Election Consolidation Legislation, there are several areas of overlapping and redundancy. The following is a brief overview of the impact of the Election Consolidation Legislation on the proposed Charter Amendments:

1. Section 7.3 - consideration of changing the date of the regular City election from the "first Monday in April of each year" to the "Tuesday succeeding the first Monday in November of each odd numbered year" – Pursuant to the new consolidation legislation, beginning January 1, 2005, Regular City Elections will automatically be moved to the first Tuesday after the first Monday in November of odd years. The new laws automatically eliminate the current April election date. If a municipality wishes to opt out of the November election, there is a one time opportunity for a community to pass a resolution by January 1, 2005, subsequent to notice and public hearing, which would allow for regular elections to be held in May.
2. Section 7.3 - consideration of the deletion of other available dates for elections when fixed by law for the holding of the State Biennial Election – Pursuant to the Election Consolidation Legislation, there is no provision for the elections in the months listed. State law will supersede this reference in Section 7.3 of the Charter.

3. Section 3.4 - consideration of four-year term limits – The new election laws have a provision for extending the existing terms of Council until the next election. The new state law also requires an adjustment of our current three-year term of office by adding one additional year to the term. However, under the new State law, Troy would have five four-year terms expiring in 2007, and two four-year terms expiring in 2009. This is the default position, which would occur if the voters do not approve a Charter Amendment allowing for continuation of staggering terms.
4. Section 7.6 - consideration of modifying the minimal number of days between a special election and regular election - This Charter provision will be superseded by the new election laws.
5. Section 7.9 - consideration of an amendment to the deadlines for filing nomination petitions - The new laws indicate a filing deadline of no later than the Primary Election and therefore, it is recommended that the seventy-five (75) days be replaced with one hundred (100) days. This time period would provide insurance that the petition filing date would not fall on an election date.

The Election Consolidation Legislation has no impact on the remaining Charter Amendment questions. It is recommended by City Administration that Council take no action to advance the proposed amendment questions for Sections 7.3 or 7.6 of the Troy Charter. The remaining proposed Charter Amendment ballot proposals include Sections 3.4, 7.9, 5.11, 7.5.5, 12.1 and 3.8.5.

As to the remaining proposed Charter Amendment ballot proposals (Sections 3.4, 7.9, 5.11, 7.5.5, 12.1, and 3.8.5), minor modifications have been made. Attached are copies of the Charter Revision Proposals and a redline version of the Charter Revision Proposals (original ballot language submittal).

Most of the modifications to the original proposals were made to simplify or clarify the proposals. The following changes are more significant, and a brief explanation of the change is noted:

- Section 3.4 was modified to accommodate a continued staggering of Mayor and City Council terms. As in the previous version, there is one two-year term and three four-year terms to be elected in 2007. The modified language requires a file and run for a stand-alone two-year term, rather than filling the two-year term with the successful candidate receiving the lowest number of votes. This proposal is now more concise and hopefully, more clearly understandable by the voter. The election schedule provided should address the concerns with the implementation of the proposed amendment. Since the new law extends the terms by one year, these provisions have been eliminated from the proposal.
- Section 7.3 originally was submitted as one ballot question and after further review, it is our belief that the proposal should be separated into two questions. Since the new law supersedes our Charter, City Administration recommends removal of these questions from the April 5, 2004 ballot.
- Section 7.5.5 is being introduced to eliminate term limit concerns that have been expressed tied to the two-year partial term created by the proposed modifications in Section 3.4 - Terms of Office. This proposal would apply to all terms less than four years.

The proposals have been reviewed by disinterested persons for clarity. Due to the tight time constraints, we request any additional input or clarification occur as soon as possible to facilitate passage the January 5, 2004 City Council meeting to allow for immediate submittal to the Governor's Office.

CHARTER REVISION PROPOSALS

1. Shall Section 3.4 of the Troy Charter be amended to modify the implementation of the new state legislation mandating four- year terms, effective with the 2005 election cycle, to allow for the continuation of staggering terms through the election of the Mayor and Council Members according to the following **odd year** November election schedule:

2005 Council Member- Four-Year Term Expiring 2009, Elect Two
2007 Mayor- Four-Year Term Expiring 2011, Elect One
2007 Council Member- Four-Year Term Expiring 2011, Elect Three
2007 Council Member- Two-Year Partial Term Expiring 2009, Elect One
2. Shall Section 7.9 of the Troy Charter, which requires “nomination petitions for candidates for regular city elections to be filed with the Clerk on or before 4 o’clock pm of the **twenty-eighth (28) day preceding the third Monday of February of each year**”, be replaced with “nomination petitions for candidates for regular city elections are to be filed with the Clerk on or before 4 o’clock pm of the **one hundredth (100th) day preceding the City election for each election year**”?
3. Shall Section 5.11 of the Troy Charter, which sets forth the requirements for citizens to effectuate changes to the City of Troy ordinances through an initiatory or referendary process, be amended to reduce the number of signatures from “**at least ten percent** of the registered electors of the City”, to “at least **2,000 signatures** of the registered electors of the City”?
4. Shall Section 5.11 of the Troy Charter, which sets forth the requirements for citizens to effectuate changes to the City of Troy ordinances through an initiatory or referendary process, be amended to increase the time period to gather signatures from “**twenty-one**” days prior to the filing of the petition to “**ninety** days prior to the filing of the petition”?
5. Shall Section 7.5.5 of the Troy Charter, which discusses term limits, be amended to delete “Any portion of a term served shall constitute one full term”?
6. Shall Section 12.1 of the Charter, which currently requires **sealed** bids to be obtained for all sales and purchases in excess of ten thousand dollars, be replaced with the requirement to obtain competitive bids through a traditional sealed bid procedure or alternative means, including but not limited to, electronic submission or reverse auction methods, providing the method used preserves the integrity of the competitive bid process?
7. Shall Section 3.8.5 of the Troy Charter be repealed to eliminate the requirement for the Mayor to send an annual proclamation to the U.S. Congress encouraging them to use their best efforts to amend the Constitution to require term limits on the U.S. Congress?

CHARTER REVISION PROPOSALS
REDLINE VERSION

~~4.~~ Shall Section 7.3 of the Troy Charter be amended to change the regular City election from the “**first Monday in April of each year**” to the “**Tuesday succeeding the first Monday in November of each odd numbered year**”? *(Administration recommends removal from the April 2004 ballot, due to the election consolidation legislation)*

~~1.~~ Shall Section 7.3 of the Troy Charter be amended to eliminate the language that allows for additional election dates by deleting “but if some other date in the months of March, April, or May if fixed by law for the holding of the state biennial election”? *(Administration recommends removal from the April 2004 ballot, due to the election consolidation legislation)*

~~1.2.~~ Shall Section 3.4 of the Troy Charter be amended to replace ~~the current~~ “**three** year terms” for the Mayor and City Council members with “**four** year terms”, effective with the ~~which shall commence with the~~ 2005 election cycle, with implementation of the four- year terms by election of Mayor and Council Members according to the following **odd year** November election schedule:
2005 Council Member- Four-Year Term Expiring 2009, Elect Two
2007 Mayor- Four-Year Term Expiring 2011, Elect One
2007 Council Member- Four-Year Term Expiring 2011, Elect Three
2007 Council Member- Two-Year Partial Term Expiring 2009, Elect One

Administration offers the following alternate ballot proposal, in light of the election consolidation legislation:

Shall Section 3.4 of the Troy Charter be amended to modify the implementation of the new state legislation mandating four- year terms, effective with the 2005 election cycle, to allow for continued staggering of terms through the election of the Mayor and Council Members according to the following odd year November election schedule:

2005 Council Members- Four-Year Term Expiring 2009, Elect Two
2007 Mayor- Four-Year Term Expiring 2011, Elect One
2007 Council Members- Four Year Term Expiring 2011, Elect Three
2007 Council Members- Two Year Partial Term Expiring 2009- Elect One

~~7.3.~~ Shall Section 7.9 of the Troy Charter, which requires “nomination petitions for candidates for regular city elections to be filed with the Clerk on or before 4 o’clock pm of the **twenty-eighth (28) day preceding the third Monday of February of each year**”, be replaced with ~~the revised requirement that~~ “nomination petitions for candidates for regular city elections are to be filed with the Clerk on or before 4 o’clock pm of the one hundredth (100th) **seventy-fifth (75) day preceding the City election for each election year**”? *(Modification recommended as a result of election consolidation legislation).*

~~3.4.~~ Shall Section 5.11 of the Troy Charter, which sets forth the requirements for citizens to effectuate changes to the City of Troy ordinances through an initiatory or referendary process, be amended to reduce change the number of signatures from ~~the current requirement of~~ “**at least ten percent** of the registered electors of the

CHARTER REVISION PROPOSALS
REDLINE VERSION

City", to ~~a new requirement of~~ at least 2,000 signatures of the registered electors of the City"?

~~6.5.~~ Shall Section 5.11 of the Troy Charter, which sets forth the requirements for citizens to effectuate changes to the City of Troy ordinances through an initiatory or referendary process, be amended to ~~increase~~ enlarge the time period to gather signatures from ~~the current deadline of~~ "twenty-one" days prior to the filing of the petition to ~~a new deadline of~~ "ninety days prior to the filing of the petition"?

~~6.~~ Shall Section 7.5.5 of the Troy Charter, which discusses term limits, be amended to delete "Any portion of a term served shall constitute one full term"?

~~7.~~

~~6.~~

~~6.7.~~ Shall Section 7.6 of the Troy Charter, which requires at least "40 days between the date that a special election is called by a resolution of City Council and the election date", be ~~increased~~ enlarged to require a minimum of "60 days" between the date of the resolution and the election? (Administration recommends removal from the April 2004 ballot, due to the election consolidation legislation)

8. Shall Section 12.1 of the Charter, which currently requires **sealed** bids to be obtained for all sales and purchases in excess of ten thousand dollars, be replaced with the requirement to obtain competitive bids through a traditional sealed bid procedure or alternative means, including but not limited to, electronic submission or reverse auction methods, providing the method used preserves the integrity of the competitive bid process?

~~2.9.~~ Shall Section 3.8.5 of the Troy Charter be repealed, ~~which would to~~ eliminate the requirement for the Mayor to send an annual proclamation to the ~~members of the~~ U.S. Congress encouraging them to use their best efforts to amend the Constitution to require term limits on the U.S. Congress?

A meeting of the Troy Election Commission was held Wednesday, February 19, 2003, at City Hall, 500 W. Big Beaver Road. Member Dewan called the Meeting to order at 7:35 P.M.

Roll Call:

PRESENT: David Anderson, Timothy Dewan,
ABSENT: City Clerk Tonni Bartholomew
ALSO PRESENT: Deputy City Clerk Barbara Holmes

Minutes: Regular Meeting of January 27, 2003

Resolution # EC-2003-01-03

Motion by Anderson, seconded by Dewan, CARRIED UNANIMOUSLY: To approve the Minutes of January 27, 2003, as submitted.

Approval of Election Inspectors:

Deputy City Clerk Holmes presented the proposed slate of Election Inspectors for the April 7, 2003 City General Election to the Commission. Ms. Holmes reviewed the proposal and noted that there may be minor changes due to worker requests and inability to work.

Resolution # EC-2003-02-04

Motion by Dewan seconded by Anderson, CARRIED UNANIMOUSLY: To approve the slate of Election Inspectors for the April 7, 2003 City General Election, as submitted by the Deputy City Clerk.

Adjournment:

The meeting was adjourned at 7:38 PM.

Barbara Homes, CMC
Deputy City Clerk

PERSONNEL BOARD MINUTES - FINAL**June 9, 2003**

A Regular Meeting of the Troy Personnel Board was held Monday, June 9, 2003, at City Hall, 500 W. Big Beaver Road. Chairman Patrick called the meeting to order at 7:15 PM.

Roll Call:

PRESENT: Chairman Patrick
Member Tschirhart
Member Vanderbrink

ABSENT: Member Nelson
Member Tavalin

ALSO PRESENT: City Manager Szerlag
Assistant City Manager/Services Shripka
Human Resources Director Clifton
City Clerk Bartholomew
Jeanette Menig, Human Resources Specialist

Approval of Minutes:

PB-03-06-001: Moved by Patrick, Seconded by Vanderbrink, That the Minutes of the City of Troy Personnel Board Meeting of May 21, 2002 be **APPROVED** as submitted.

Yes: Patrick, Tschirhart, Vanderbrink
Absent: Nelson, Tavalin

Old Business: None**New Business:**

A. Recommendation for Merit Pay Plan for Classified Employees (FY 2003-2004)

Peggy Clifton, Human Resources Director advised the Board that it was determined that it would be in the best interest of the City to not hire a consultant this year. This determination was based on several factors. She noted concern with the cost of a consultant and the possibility of not being able to implement the potential results. She stated that the cost of hiring a consultant would significantly reduce any potential money available for pay increases and this would negatively impact morale and productivity.. In light of the concerns, HR staff surveyed surrounding communities, which came in with a result of just under a proposed 3% rate increase. The budgeted amount for increases was set at 4%. Staff prepared a recommendation as follows:

Range adjustment at 2%
Wage increase 2% across the board

Merit/performance increase:

1% lowest performance range

1/5% mid performance range

2% highest performance range

In addition to the range increase, staff is recommending 2 additions to the Classification Plan. The additions are Museum Archivist to Pay Grade 2 and Education Coordinator to Pay Grade 3.

Member Vanderbrink recommended ASE (American Society for Employers) as a potential consultant. Ms Clifton indicated she would look into his suggestion.

PB-03-06-002: Moved by Patrick, Seconded by Vanderbrink, That the proposed Merit Pay Plan for Classified Employees (FY 2003-2004) be **APPROVED** as submitted.

Yes: Patrick, Tschirhart, Vanderbrink

Absent: Nelson, Tavalin

B. Approval of Revisions to Personnel Rules to Reflect 30 Hours Personal Business Time for Those Employees Working a "4/10" Schedule

Peggy Clifton, Human Resources Director advised the Board that the purpose of this proposal is to align the supervisors of Police Service Aides that work 4/10 schedules with those that they supervise. Taking the Personal Business Time to 30 hours is the equivalent of three (3) days Personal Business leave time.

PB-03-06-003: Moved by Patrick, Seconded by Vanderbrink, That the Personnel Rules Section XVIII, Personal Business Time, be **APPROVED** to reflect 30 hours if regularly scheduled to work a 4/10 schedule,

Yes: Patrick, Tschirhart, Vanderbrink

Absent: Nelson, Tavalin

Peggy Clifton, Human Resources Director informed the Board that the City is looking into the potential benefit adjustments for future new hire employees. She stated that the potential for cost savings to the City is significant and would not effect current employees. Some of the areas they are looking at would be to switch insurance from traditional Blue Cross to PPO coverage and possible changes in the prescription drug rider co-pay. It was noted that the proposed changes would require union negotiations and acceptance.

Chairman Patrick asked if the City believes that they can be successful with the unions.

City Manager Szerlag indicated that the City and unions have been negotiating utilizing Interest Based Bargaining. To date the City has been very successful with this type of negotiating technique and he has every belief they would be in this area as well.

Member Vanderbrink suggested the City look into preventative health care programs. He noted that these programs can be expensive, however, they can be very beneficial in reducing health care costs.

Excuse Member Nelson and Member Tavalin:

PB-03-06-004: Moved by Patrick, Seconded by Tschirhart, CARRIED
UNANIMOUSLY: To **EXCUSE** Member Nelson and Member Tavalin.

Adjournment:

PB-03-06-005: Moved by Patrick, Seconded by Tschirhart, CARRIED
UNANIMOUSLY: That there being nothing else to come before the Board, the meeting be **ADJOURNED**.

Meeting adjourned at 7:35 PM.

Stephen Patrick, Chairman

Tonni L. Bartholomew, City Clerk

FINAL
BROWNFIELD REDEVELOPMENT AUTHORITY
MINUTES
JUNE 11, 2003

The meeting was called to order at 3:05 p.m. at Troy City Hall, Conference Room D, Troy City Hall.

Members Present: Lawrence Goss, Victor Lenivov, Robert Swartz, Lon Ullmann, Bruce Wilberding

EXCUSE ABSENT MEMBERS

Resolution # BRA-03-05

Moved by: Lenivov

Seconded by: Goss

Resolved, that absent members be excused.

Yeas: All (5)

Absent: Cotsonika, Lee

APPROVAL OF MINUTES

Resolution # BRA-03-06

Moved by: Swartz

Seconded by: Ullmann

Yeas: All (5)

Absent: Cotsonika, Lee

OLD BUSINESS

- A. Correction to minutes of the April 17, 2003 meeting, deleted Item A, which should have been under Item III.
- B. Request for Information – Mr. Smith outlined the three pieces of information (tax increment revenue chart, SmartZone information and map, and corrected annual meeting schedule) that were requested at the previous meeting and were accepted.

- C. Masco Plan # 3 – Grant Trigger from Honigman Miller Schwartz and Cohn Law firm provided an overview of his discussions with the Department of Environmental Quality and the agreement with them on how to proceed. The agreement includes establishing a separate corporation that would be DMA, and submit the existing work plan under this new incorporation. DEQ indicated a willingness to proceed with the work plan under the new corporate structure, and not assigning any liability to this corporation, therefore permitting the plan to move forward.

Resolution # BRA-03-07

Moved by: Lenivov

Seconded by: Swartz

Amend Brownfield Redevelopment Plan #3 to replace the legal entity and make minor editing changes. This motion is subject to staff review of the editing changes.

Yeas: All (5)

Absent: Cotsonika, Lee

NEW BUSINESS

A. Approval of 2003-2004 Budget

Resolution # BRA-03-08

Moved by: Swartz

Seconded by: Ullmann

Yeas: All (5)

Absent: Cotsonika, Lee

There was no Public Comment

The meeting was adjourned at 4:05 p.m. with members meeting at Saleen (SSV), the former Stanley Door building to tour the facility

The next meeting scheduled is July 17, 2003

Bruce Wilberding, Chairman

Doug Smith, Secretary and Treasurer

BRA Minutes 06-11-03

A Joint Meeting of the Troy City Council and the Troy Planning Commission was held Tuesday, October 28, 2003 at the Fire Police Training Center. John Szerlag called the Meeting to order at 7:34 p.m. and served as moderator.

ROLL CALL

Present:

City Council Members

Mayor Matt Pryor
David A. Lambert
Robin Beltramini
Cristina Broomfield
David Eisenbacher
Martin F. Howrylak
Jeanne M. Stine

Planning Commission Members

Larry Littman, Chair
Gary Chamberlain (absent)
Dennis A. Kramer
Robert M. Schultz
Walter A. Storrs, III
Thomas Strat
Mark J. Vleck
David T. Waller
Wayne C. Wright

Also Present:

John Szerlag, City Manager
Lori Grigg Bluhm, City Attorney
John M. Lamerato, Assistant City Manager/Finance & Administration
Gary A. Shripka, Assistant City Manager/Services
Peggy E. Clifton, Human Resources Director
Laura Fitzpatrick, Assistant to the City Manager
Susan Lancaster, Assistant City Attorney
Mark F. Miller, Planning Director
Brent Savidant, Principal Planner
Doug Smith, Real Estate & Development Director
Mark S. Stimac, Director Building & Zoning

Resolution # PC-2003-11-040

Moved by: Littman
Seconded by: Waller

RESOLVED, That Mr. Chamberlain be excused from attendance at this meeting.

Yes: All Planning Commission Members present (8)
No: None
Absent: Chamberlain

MOTION CARRIED

AGENDA OUTLINE

- 1 Role of Moderator 7:30 – 7:50**
- a) Interest-based approach to problem solving
 - b) Development of ground rules
 - c) Timekeeper volunteer
- 2 Communication 7:50 – 8:15**
- a) Communication links between City Council, Planning Commission, and City Management
 - i. Informal (Ongoing)
 - ii. Formal (Presentations, resolutions, ordinances)
- 3 Defining Role of Planning Commission Related to: 8:15 – 9:00**
- a) Ordinance
 - b) Relationship between Planning Commission/City Council/Management/Board of Zoning Appeals (elevations, drainage, landscaping, existing and proposed grading)
 - c) Final site plan approval
 - d) Special projects
 - i. PUD Procedure
 - ii. Table of Contents for City Code
 - iii. Review of berm and wall requirements
- 4 Maintaining Culture of Professionalism 9:15 – 9:45**
- a) Allocation of Resources
 - i. Staff Time
 - ii. Budget for Planning Commission as it relates to entire City budget
 - b) Development of Process to Recommend Changes to Ordinances
- 5 Planning Process as a Tool to Enhance Economic Viability 9:45 – 10:15**
- a) Maple Road Study
 - b) Suggested Enhancement Projects

NOTES BASED ON DISCUSSION (RECORDED ON EASEL PAPER)Issue: Formalized Communication Between Parties*Interests:*

- Regular meetings
- PC spokespersons (selected by peers) – present at CC meetings (at least one)
- Avoid delay of projects
- Continuous feedback; ongoing communication
- Team approach
- Opportunity for input on project topics
- Abide by charter provision

Options:

- Joint meeting of smaller body
- Identify changes to recommend and attach discussion
- Handle informally while informing petitioner

Issue: Define Role of Planning Commission*Interests:*

- Follow authority in Zoning Ordinance
- Calibrate that authority
- Confidence in roles
- Trust in roles: Planning Commission, City Council, Staff
- Acknowledge/deal with recurring problems
- Clarify/define relationship between Planning Commission and City Council
- What happens in public should not get changed after the fact
- Efficient use of time and resources
- Coordinated PUD process
- Improve PUD process (no corruption)
- Comparative analysis of how others run process
- Creative Incentives
- Discuss opportunities
- Efficient use of staff time (there is limited staff time to meet deadline for six meeting agendas)

Options:

- Engineering approvals as part of the site plan
- Examine/change rules (i.e. standards, ordinances)
- Involve members of the development community
- At meeting, have available document showing approval process

- Identify steps:
 - Whether project qualifies for PUD
 - Preliminary site plan
 - Final site plan
- Calibrate specific PUD standards
- Incorporate partnership with Planning Commission
- Include Table of Contents – is there one?
- Encourage assemblage of property (offer suggestions)

Issue: Maintain culture of professionalism

Interests:

- Efficient use of staff time
- Planning Commission having input into planning process and how budget is spent
- Understanding of Planning Commission budget components

Options:

- All three parties identify priorities
- Share workload
- Hire additional staff
- Reduce number of meetings/fewer meetings
- Planning Commission first gets City Council authorization to move forward on projects (City Council has opportunity for input, providing direction) (i.e., “Here’s what we ‘d like to work for the next quarter.”)
- Identify three areas: 1) Planning Department – short-term immediate tasks; 2) medium term projects; 3) long-term project/goal
- Re-write Master Plan
- Strategic Planning Session for Planning Commission
- Develop process to recommend changes to ordinances

Issue: Planning Process as a Tool to Enhance Economic Viability

Interests:

- Maple Road Study: include Planning Commission in planning process; vital part of the team
- Encourage attraction and retention of business
- Encourage partnership – committees

Options:

- Northwest corner of 16 & Crooks – study re: parking
- Ongoing projects – don’t lose sight of them; i.e., sidewalk plan
- Work with Rochester Hills on Paint Creek Trail
- Create our own destination; to which people want to walk
- Maplelawn
- M-1 Uses
- Rezoning: Citing particular properties on the Future Land Use Plan as part of that review
- Pedestrian Plan

VISITOR COMMENTS

The meeting adjourned at 10:41 p.m.

Lawrence Littman, Chairman

Laura Fitzpatrick, Assistant to City Manager

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Call to Order

The regular meeting of the Ethnic Issues Advisory Board was called to order on November 4, 2003 at 7:09 p.m. in Conference Room C at Troy City Hall.

Roll Call

| | | |
|----------|-----------------------------|-------------------------|
| Present: | Anju Brodbine | Oniell Shah |
| | Tom Kaszubski | Padma Kuppa |
| | Hailu Robele | Charles Yuan |
| | Flora Tan | Kara Huang, Student Rep |
| | Cindy Stewart, City Liaison | |

Absent: Amin Hashmi, Katie Beyer

Approval of Minutes

Motion by Brodbine, support by Yuan to approve October 7, 2003 minutes. Approved unanimously.

Correspondence

- A. Lori from Alliance Mobile Health is interested in getting ideas on how they can better serve Troy's diverse population related to language and/or culture barriers
 - a. Schedule her to come to January meeting and ask her to fax us prior to Dec. meeting their concerns
 - b. EIA Board will brainstorm at December meeting ways to assist them. Each culture could develop guidelines for Alliance dealing with different cultures

New Business

- A. Board vacancy
 - a. Jeff Hyun sent application in Sept. – Charles will invite him to Dec. meeting. After board meets him, will make recommendation to Council if appropriate.
 - b. Cindy will tell Dave Lambert to ask Tony Haddad to fill out an application and he can be considered for the next vacancy

Old Business

- A. Sights & Sounds program

- a. Huge success for India. Still need a group for January. Oniell will check contacts at work re: Germany. Cindy will talk to Reinhard Lemke. Flora will check Birmingham Schools. They sponsored a German event.
 - b. Sights & Sounds of Italy – Board members that will work are Oniell, Padma, Hailu, Cindy. Kara & Katie will also try to be there to help.
 - c. Cindy will check Parks & Rec re: helium tanks. Some companies will rent one for a season that fills 700-800 balloons. Check is we can store at Parks & Rec.
 - d. Redo original letter to include info re: booths related to the culture
 - i. 25 business cards
 - ii. 50 brochures
 - iii. 75 booths
 - e. Check company re: cost for balloons - assorted colors with EIA logo
 - f. EIA brochures at event
 - g. Encourage fashion show, dancing, music at all programs
 - h. Program would be a great resource for middle school classes - Tom will approach Barb Fowler and Mike Williams re: geography classes
- B. Resource List
- a. Continue to work on this. Now that we've gone thru the list from J. Preston, - track down send other info related to all cultures.
- C. Diversity Week
- a. Resend letters in January to remind groups, churches, businesses, PTOs re: May date for Diversity Week. If groups can't do anything in 2004, then perhaps 2005 (approx first week in May each year).
- D. Law Brochure - Hindi & Gujrathi done; Charles has Chinese in the works, Spanish in the works; Flora has person to do Arabic and working on getting German and French. Email law brochure again to members.
- E. Move next meeting to Dec. 9 at 7 pm

Motion by Yuan, second by Robele to adjourn - Meeting adjourned at 8:25 pm

Tom Kaszubski, EIA Board Chairman

Cindy Stewart, Recording Secretary

ADVISORY COMMITTEE FOR PERSONS WITH DISABILITIES--DRAFT November 5, 2003

A Regular Meeting of the Troy Advisory Committee for Persons with Disabilities was held Wednesday, November 5, 2003, at the lower level conference room at City Hall. Leonard Bertin called the Meeting to order at 7:08 P.M.

Present: L Bertin, member A. Done, member
 K. Gauri, member T. House, member
 N. Johnson, member D. Pietron, member
 M. Pritzlaff, alternate

Present: M. Grusnick, staff
 K. Jearls, staff

Absent: C. Buchanan, member S. Burt, alternate
 P. Manetta, alternate D. Kuschinsky, member
 J. Shah, alternate G. Yau, student

ITEM B – APPROVAL OF MINUTES OF MEETING OF OCTOBER 1, 2003

Pietron made a motion that the Minutes of October 1, 2003 be approved with changes noted. Supported by House. All voted in favor.

ITEM C – VISITORS, DELEGATIONS AND GENERAL PUBLIC

Kyle DuBuc, Special Projects Coordinator, from MI Protection and Advocacy Service was at the meeting to discuss HAVA legislation, Help America Vote Act. He explained that cities will be reviewing polling equipment to ensure that the machines are accessible to people that have a disability. He needs volunteers to inspect polling places for accessibility. Applications were handed out to members, filled out and turned in to Bertin, who will mail them to MI Protection and Advocacy Service. Kyle supports the Scan Tron voting machine, which is capable of large type, audio, puff zip, and doesn't store or record the vote. There are no punch cards or levers on it. By 2004, HAVA legislation requires at least one accessible machine in every voting precinct. Kyle also suggested that seniors should be involved in this because many have a disability. Kyle shared examples of Polling Place Accessibility Surveys, copies of which will be made available for everyone at the next meeting.

ITEM D – NEW BUSINESS

Council re-appointed members Burt, Manetta and House as regular members at their November 3rd meeting. Also, Mark Pritzlaff was appointed as an alternate.

Carol Anderson submitted preliminary plans for 5 new City parks. These plans will be evaluated and discussed at the December 3rd meeting.

Bertin and Burt were at the City Council Meeting on 10/6 and were presented with a proclamation declaring October to be National Disability Awareness Month. Also, December 3rd has been designated as International Disabled Persons Day.

A discussion was held regarding providing more handicap parking spaces at the library. Mark Stimac has been contacted regarding this and indicated there were no plans to increase the number of spaces. It was suggested that temp spaces be used when certain programs may require more spaces. Gauri suggested having a drive-up drop-off box for books also. A motion was made by Bertin to ask to be added to the Library Board agenda next meeting and supported by Gauri. All voted in favor.

Gauri mentioned that Frank Singer, City of Southfield Cable Committee, has about 12 disability awareness videos that can be shown on local TV. Gauri will contact him to attend the December meeting and show a sample. In the meantime Gauri will ask Frank to fax a list of videos to Grusnick.

Mark Pritzlaff, new alternate, was in attendance. Mark attends Cooley Law School in Lansing and is familiar with issues pertaining to seniors and to people with a disability.

ITEM E – REGULAR BUSINESS

Members to attend City Council meetings for November are Johnson and Done on 11/17 and Gauri on 11/24.

ITEM F – OLD BUSINESS

The Ms. Wheelchair Michigan 2004 Pageant is looking for participants. Candidates should be advocates of disability issues and possess poise, willingness to speak in public and able to represent disabilities of all types.

Paws With A Cause sent a letter stating they were happy with the Ability Expo and will join again.

Bertin composed a letter following our joint meeting with the Parks & Recreation Board thanking them for supporting issues raised by our Committee. Also, an appreciation letter was sent to Project Lead for the outstanding support the students demonstrated at the Troy Daze Ability Expo. Both letters were approved by all.

ITEM G – INFORMATIONAL ITEMS

ITEM H - ADJOURN

House made a motion to adjourn at 9:10 p.m. Done seconded. All voted in favor.

Leonard Bertin, Chair

Kathy Jearls, Recording Secretary

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ITEM G – INFORMATIONAL ITEMS

ITEM H - ADJOURN

House made a motion to adjourn at 9:10 p.m. Done seconded. All voted in favor.


Leonard Bertin, Chair


Kathy Jeatts, Recording Secretary

Advisory Committee for Senior Citizens

A Regular meeting of the Advisory Committee for Senior Citizens was held on Thursday, November 6, 2003 at the Troy Community Center. Chairman David Ogg called the meeting to order at 10 AM.

Present: David Ogg, Chairman Jo Rhoads, Member
Ed Forst, Vice-Chairman Jane Crowe, Member
Bill Weisgerber, Member Merrill Dixon, Member
Steven Banch, Member Carla Vaughan, Staff
JoAnn Thompson, Member

Absent: None

Visitors: Martin Knollenberg, Oakland County Commissioner; Evette Ford, At Your Service

Approval of Minutes

Resolution # SC-2003-11-001
Moved by Jo Rhoads
Seconded by Jane Crowe

RESOLVED, That the Minutes of Oct. 2, 2003 be approved as submitted.

Yes: 8
No: 1

MOTION CARRIED

Addition of Separate Senior Budget item to agenda

Resolution # SC-2003-11-002
Moved by Bill Weisgerber
Seconded by Ed Forst

RESOLVED, that an item about a separate senior budget be added under old business.

Yes: 8
No: 1

MOTION CARRIED

Addition of Departure Time for Senior Trips item to agenda under new business.

Resolution # SC-2003-11-003
Moved by Jo Rhoads
Seconded by JoAnn Thompson

RESOLVED, That an item about the departure time for senior trips be added under new business.

Yes: 9

No: 0

MOTION CARRIED

Visitor Comments

Commissioner Knollenberg introduced himself and told the Committee that there is an Oakland County Advisory Committee for Senior Citizens.

Evette Ford handed out brochures about her Troy in-home care business.

Old Business:

Civic Center Task Force: David Ogg reported that an amphitheater and gardens were discussed and the task force will also be suggesting a schedule for implementation. They are scheduled to report to City Council in February.

Separate Senior Budget: Bill Weisgerber reviewed the minutes from 2002 about discussions that the Committee has had on this matter and led a discussion about the budget information that he feels the Committee needs to do its job of making recommendations for seniors.

Resolution # SC-2003-11-04

Moved by David Ogg

Seconded by Jo Rhoads

RESOLVED that Bill Weisgerber attend the next Park Baord meeting along with Merrill Dixon and request a financial accounting about the senior program.

Yes: 9

No: 0

MOTION CARRIED

New Business

Departure Time for Senior Trips: Jo Rhoads and JoAnn Thompson led a discussion about how a senior can find out when a trip is leaving when they have misplaced their itinerary. They received a call last month at 11:30 p.m. on Sunday about a trip leaving the following morning and could not find the information in the newsletter or on the Internet. Carla reported that everyone receives an itinerary at a departure meeting. The exact departure time is not printed in the newsletter as it is often not known by press time. The travel agent provides that information at a meeting about two weeks prior to departure. This is the first time this has come up and Carla will look at ways to handle this situation in the future.

Tour of Rochester Senior Center: David Ogg offered to arrange a tour of the new Rochester Senior Center and he will get back with members regarding the date.

Reports

Park Board: Merrill Dixon reported that the Park Board held a joint meeting with the Advisory Committee for Person with Disabilities. They also discussed the new park where the Methodist Church had been located and fees for subsidized programs.

Medi-Go: Jo Rhoads reported that they are busy and doing well.

Lunch Attendance: Carla reported that she has not received a report form Emerald for September or October. Lunch attendance was down 4% the past fiscal year.

Senior Program Report: Carla reported that 800 people received flu shots at the Community Center on November 4. We also held a Senior Expo on this date with over 40 booths. On-line registration for senior programs will be available beginning next month. Bill Weisgerber inquired about goals for 2003/2004 under the three year action plan:

- Expand home chore program to include house cleaning (has been suggested but not implemented)
- Locate all ordinances in City Code that apply to the senior program (there are none)
- Have a senior staff person attend Troy People Concerned board meetings (not yet implemented)

OLHSA: JoAnn Thompson reported that they had a speaker on in-home care.

Suggestions: None

Member Comments

David Ogg reported that the new senior program brochure is very nice.

Steve Banch reported that there was a problem with the cleanliness the men's bathroom on flu shot day and that kids are damaging the bark on the trees in the lobby.

The meeting was adjourned at 11:45 a.m.

Respectfully submitted,

David Ogg, Chairman

Carla Vaughan, Secretary

A meeting of the Employees' Retirement System Board of Trustees was held on Wednesday, November 12, 2003, at Police/Fire Training Center, 4850 John R., Troy, MI. The meeting was called to order at 3:00 p.m.

TRUSTEES PRESENT:

Mark Calice
Charles Campbell
Robert Crawford
Thomas Houghton, Chair
David A. Lambert
John M. Lamerato
John Szerlag (Arrived 3:08 pm)

ALSO PRESENT:

Laura Fitzpatrick
Ken Courtney
William Need
Steve Gasper, UBS

MINUTES

Resolution # ER – 2003 - 11- 040

Moved by Lambert

Seconded by Lamerato

RESOLVED, That the minutes of the October 8, 2003 meeting be approved.

Yeas: All 6

Absent: Szerlag

RETIREMENT REQUEST

Resolution # ER – 2003 – 11- 041

Moved by Houghton

Seconded by Campbell

RESOLVED, That the retirement request of Joy E. Stockamp, DB, 1/17/04, 16 years, 6 months be approved.

Yeas: All 6

Absent: Szerlag

OTHER BUSINESS- PRIOR GOVERNMENTAL RETIREMENT SERVICE

The listing will be resubmitted at the December, 2003 meeting.

OTHER BUSINESS – RETIREE REPRESENTATION ON BOARD***Resolution # ER – 2003 - 11- 042***

Moved by Lamerato
Seconded by Szerlag

RESOLVED, That the Board recommends that a defined benefit retiree be appointed to the Board as a non-voting member selected by the City Manager and that consideration be given to requiring two out of the three employee members be in the Defined Benefit program.

Yeas: Crawford, Houghton, Lambert, Lamerato, Szerlag
Nays: Calice, Campbell

OTHER BUSINESS – REVIEW OF ASSET ALLOCATIONS

Steve Gasper of UBS reviewed current investment allocations with past performance and future projections. The Board will study future asset allocations based upon the report.

INVESTMENTS***Resolution # ER – 2003 - 11- 043***

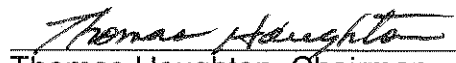
Moved by Calice
Seconded by Campbell

RESOLVED, That the following investments be purchased: Purchase \$1,000,000 Merrill Lynch Notes 4.20% due 1/10/10; 10,000 shares CISCO; 4,500 shares Zebra Technologies; 8,000 shares Marsh/McLennan; 10,000 shares Progress Energy and direction was given that if NAIC Investment Service recommends selling a position, all holdings in that position will be sold.

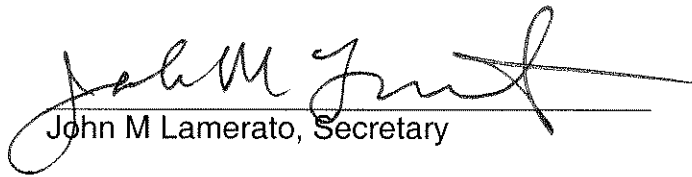
Yeas: All 7
Absent:

The next meeting is December 10, 2003 at 3:00 p.m. at City Hall, 500 W Big Beaver, Troy, MI.

The meeting adjourned at 4:25 p.m.



Thomas Houghton, Chairman



John M Lamerato, Secretary

JML/bt\Retirement Board\2003\11-12-03 Minutes_Final.doc

Final Meeting Minutes

A meeting of the Downtown Development Authority was held on Wednesday, November 19, 2003, in the Lower Level Conference Room of Troy City Hall, 500 W. Big Beaver Troy, Michigan. Alan Kiriluk called the meeting to order at 7:31 a.m.

PRESENT: Michael Culpepper
Stuart Frankel
Michele Hodges
William Kennis
Alan Kiriluk
Daniel MacLeish
Carol Price
Marc Rosenow
Douglas Schroeder
Harvey Weiss (arrived @ 7:38 a.m.)
Fred Wong
G. Thomas York

ABSENT: Matt Pryor
Ernest Reschke

| | | |
|----------------------|------------------|----------------|
| ALSO PRESENT: | John Szerlag | Doug Smith |
| | John M. Lamerato | Bill Houtari |
| | Gary A. Shripka | Carol Anderson |
| | Lori Grigg Bluhm | Ron Hynd |
| | Mark Miller | |

APPROVAL OF MINUTES

Resolution: DD-03-17
Moved by: York
Seconded by: Frankel

RESOLVED, that the minutes of the June 18, 2003 regular meeting be approved.

Yeas: All (10)
Absent: Pryor, Reschke, Weiss

OLD BUSINESS

Update on Big Beaver Landscaping

Carol Anderson and Ron Hynd gave an update on the Big Beaver Landscaping Project.

Overview of Sterling Corporate Center (PUD)

Mark Miller reviewed Planned Unit Development (PUD) guidelines and the proposed Sterling Corporate Center Development on Big Beaver and I-75.

NEW BUSINESS

Audited Financial Statements June 30, 2003

Resolution: DD-03-18

Moved by: Kennis

Seconded by: Price

RESOLVED, that the Board receive and file the audited financial statements for the year ended June 30, 2003

Yeas: All (11)

Absent: Pryor, Reschke

PUBLIC COMMENT

One citizen addressed the Authority.

Next Meeting Topics

- Landscape architect – develop a comprehensive streetscape design including gateways for the entire district
- Big Beaver Bond Project status
- Civic Center slide presentation by the Civic Center Priority Task Force
- Arrange a trip to the Ford Motor Company Conference and Event Center with members of City Council, Civic Center Priority Task Force, staff and TDDA members.

EXCUSE ABSENT MEMBERS

Resolution: DD-03-19

Moved by: Culpepper

Seconded by: MacLeish

RESOLVED, That Pryor and Reschke be excused.

Yeas: All (11)

Absent: Pryor, Reschke

The meeting was adjourned at 9:10 a.m.

Next Meeting: December 17, 2003 @ 7:30 a.m.

Alan Kiriluk, Chairman

John M. Lamerato, Secretary/Treasurer

JL/pg

TROY DAZE MINUTES - DRAFT

NOVEMBER 25, 2003

A Regular Meeting of the Troy Daze Advisory Committee was held Tuesday, November 25, 2003, at the Troy Community Center. Bob Berk called the Meeting to order at 7:33 P.M.

ROLL CALL

PRESENT: Bill Hall
Jim Cyrulewski
Robert Preston
Cheryl Whitton Kaszubski
Cele Dilley
Kessie Kaltsounis
Bob Berk
Mike Gonda

ABSENT: Jeff Biegler and Jessica Zablocki due to prior commitments

ADDITIONAL CITY STAFF PRESENT:

| | |
|---------------|------------------|
| Tonya Perry | Dave Swanson |
| Bob Matlick | Steve Zavislak |
| Dave Swanson | Gerry Scherlinck |
| Cindy Stewart | |

1. APPROVAL OF OCTOBER 28, 2003 MINUTES

Resolution TD-2003-11-013
Moved by Whitton Kaszubski
Seconded by Dilley

RESOLVED, That the October 28, 2003 minutes be amended by changing the vote number from "10" to "9" on both resolutions because the Parks & Recreation representative is not a voting member. Be it further resolved to accept the October minutes with corrections.

Yes: All-8

MOTION CARRIED

OLD BUSINESS - NONE

NEW BUSINESS

1. ELECTION OF TROY DAZE ADVISORY COMMITTEE OFFICERS

Bob Berk stepped down during election of Chairman. Kessie asked if there were further nominations to the current slate and none were added.

Resolution TD-2003-11-14
Moved by Cheryl Whitton Kaszubski
Seconded by Mike Gonda

RESOLVED, That Bob Berk be elected Chairman by acclamation

Yes: 7

Bob stepped back as Chairman and asked for further nominations for Vice Chairman, none added.

Resolution TD-2003-11-15
Moved by Cyrulewski
Seconded by Whitton Kaszubski

RESOLVED, That Kessie Kaltsounis be elected Vice Chairman by acclamation.

Yes: 7

No additional nominations for Treasurer

Resolution TD-2003-11-16
Moved by Cyrulewski
Seconded by Gonda

RESOLVED, That Cheryl Whitton Kaszubski be elected Treasurer by acclamation.

2. APPOINTMENT OF FESTIVAL ACTIVITY CHAIRPERSONS

Resolution TD-2003-11-17

Moved by Whitton Kaszubski

Seconded by Kaltsounis

RESOLVED, That all from last year be reappointed as Chairpersons again this year.

3. PROPOSED PROCESS FOR NEW ADVISORY BOARD MEMBERS

Will draft a procedure and return in January for review and recommendations.

4. THANK YOU

Wishing Dave, Steve, and Joy all retiring before the next meeting in January a heartfelt thank you. Your efforts are much appreciated and you will be missed, of course you are more than welcome as volunteers at any time. We have cake and coffee for all.

Meeting adjourned at 8:02P.M.

BOB BERK, COMMITTEE CHAIRMAN

JOY KOEGLER, Recording Secretary

The Special/Study Meeting of the Troy City Planning Commission was called to order by Chairman Littman at 7:30 p.m. on December 2, 2003, in the Council Board Room of the Troy City Hall.

1. ROLL CALL

Present:

Gary Chamberlain
Dennis A. Kramer
Lawrence Littman
Robert Schultz
Walter Storrs
Thomas Strat
Mark J. Vleck
David T. Waller
Wayne Wright

Also Present:

Mark F. Miller, Planning Director
Brent Savidant, Principal Planner
Allan Motzny, Assistant City Attorney
Amalfi Parker, Student Representative (arrived 7:45 p.m.)
Kathy Czarnecki, Recording Secretary

Allan Motzny introduced himself. The Commission welcomed him.

2. MINUTES

October 28, 2003 Planning Commission Joint Meeting with City Council

Mr. Waller questioned the wording of bullet #5 (i.e., authorization) listed under the *Options* for the *Issue Maintain Culture of Professionalism* on page 4.

A brief discussion followed with respect to the Planning Commission's intent of the option. It was the consensus of the Commission to confirm (1) the wording and its designation on the board at the meeting, and (2) the City Council's approval of the minutes as published.

Resolution # PC-2003-12-058

Moved by: Littman

Seconded by: Wright

RESOLVED, To table the October 28, 2003 Joint City Council/Planning Commission Meeting minutes to the December 9, 2003 Regular Meeting.

Yes: Littman, Kramer, Schultz, Storrs, Strat, Vleck, Waller, Wright

No: None

Abstain: Chamberlain

MOTION CARRIED

November 4, 2003 Special/Study Meeting

Mr. Waller requested that on Page 7, Item 14, *Selection of Representatives to the Tri-Party Interest Based Bargaining Sub-committee*, be inclusive of his comments as follows:

“Mr. Waller stated that some thought should be put into how the sub-committee should be organized and its processes and its bylaws should be documented; i.e., committee name, legal opinion.”

Resolution # PC-2003-12-059

Moved by: Schultz

Seconded by: Vleck

RESOLVED, To approve the November 4, 2003 Special/Study Meeting minutes as corrected.

Yes: Kramer, Schultz, Storrs, Strat, Vleck, Waller

No: None

Abstain: Chamberlain, Littman, Wright

MOTION CARRIEDNovember 11, 2003 Regular Meeting

Mr. Storrs requested the following revisions.

Page 6, Item 4, Proposed Rezoning (Z-597D), replace paragraph 6 with the following:

“Mr. Storrs indicated to the petitioner that he was personally aware of residents coming forward and requesting additional condominiums in Troy so that empty nesters could remain in Troy close to family and not have to be burdened with external maintenance. He then asked the petitioner what rationale he had that said the area needed additional B-2 zoning. The petitioner did not have a response.”

Page 15, Item 10, Site Plan Review (SP 216-B) for Maggiano's Restaurant, insert the following paragraph as discussion on the final motion:

“Mr. Storrs asked the petitioner if the motion on the floor would fulfill his needs. The petitioner responded affirmatively.”

Resolution # PC-2003-12-060

Moved by: Storrs

Seconded by: Littman

RESOLVED, To approve the November 11, 2003 Regular Meeting minutes as corrected.

Yes: Littman, Kramer, Schultz, Storrs, Strat, Vleck, Waller
No: None
Abstain: Chamberlain, Wright

MOTION CARRIED

3. PUBLIC COMMENTS

There was no one present who wished to speak.

4. PLANNING AND ZONING REPORT

Mr. Miller reported on the following items.

- *CN Railroad Pedestrian Crossing Study* – At their December 1, 2003 meeting, City Council authorized Hubbell, Roth & Clark to conduct a feasibility study with respect to providing an overpass or underpass for pedestrian access to the proposed train station on the west side of the railroad tracks near the southwest corner of Maple and Coolidge (Mid-Town Square).

The Commission discussed the City of Birmingham's "rail district", the type of pedestrian access, the area's walkability, the parking deck referenced at the Maple Road bus tour, grant possibilities, and other considerations related to the railroad pedestrian crossing. Mr. Miller said he would attempt to obtain more information on this matter and also confirm the acreage of land involved.

- *Future Planning Commission Special/Study Meeting* – Mr. Miller will schedule Real Estate & Development Director Doug Smith to provide an updated development report.
- *January 6, 2003 Special/Study Session* – Michelle Hodges, President, Chamber of Commerce, is scheduled to attend the January 6, 2003 Special/Study Meeting to present the Troy Chamber of Commerce's position on the Civic Center Development and Regional Conference Facility.
- *Lord & Taylor Site Plan at Oakland Mall (SP 38-E)* – The revised site plan was provided for the Commission's review. The petitioner, per the conditions of site plan approval, redesigned the parking lot, provided sidewalks per approval of the City Engineer, and is proceeding with a traffic study. Mr. Miller will confirm with the Traffic Engineer the parameters of the traffic study and provide details and copies of the traffic study to the Planning Commission.
- *Height Limits for Amateur Radio Antennas (ZOTA 180)* – City Council has directed the City Management to draft a Zoning Ordinance Text Amendment for the December 15, 2003 Regular City Council Meeting that would permit amateur radio antenna support structures up to a height of 75 feet. Four conditions to

City Council's resolution were discussed with respect to the requirement of bonds for licensed radio operators, the determination of setbacks, and the applicability to accessory and/or main structures.

- *Parking Requirements (ZOTA 198)* – At their November 24, 2003 Regular Meeting, City Council approved zoning text amendments to the parking requirements. The sharing of joint parking and land banking amendments were approved, as recommended by the Planning Commission. Mr. Miller highlighted the changes adopted by City Council. A public hearing notification was mailed to all non-residential property owners, apartments and condominiums. The Planning Department is available to review parking requirements further (i.e., guest parking, parking for larger uses, etc.) should the Commission feel it is appropriate.
- *Sterling Corporate Center (PUD #002)* – The PUD received preliminary approval by City Council at their November 24, 2003 meeting. Chairman Littman commended the Commission for a job well done.
- *Michigan Society of Planning 2004 Annual Conference* – Mr. Miller asked that any Planning Commissioner who has an interest in a panel presentation on Planned Unit Developments at the next annual MSP conference to contact him.
- *Wyngate Subdivision* – Wyngate Subdivision received tentative preliminary plat approval by City Council at their November 24, 2003 meeting.
- *Michigan Economic Development Corporation (MEDC)* – City Manager John Szerlag and State Senator Shirley Johnson have arranged to meet with the MEDC to discuss the funding sources for the conference center.
- *Commercial Vehicles (M-1 Zoning District)* – At their December 1, 2003 meeting, City Council directed City Management and the Planning Commission to draft a text amendment allowing up to 500 outside storage spaces in M-1 districts. Mr. Miller said City Council is trying to (1) cut down their time on commercial appeals and (2) make it easier for residents to store commercial vehicles.

The Commission discussed at length the current available space, use of commercial vehicle storage by non-residents, disbursement of locations throughout the City, parking necessity at the storage locations, and fencing and security of the area.

- *Tri-Party Interest Based Committee* – The consensus of the Commission is to postpone this matter until a legal opinion is rendered by the City Attorney with respect to the creation of sub-committees by City Council. Mr. Motzny will check on the status of the legal opinion.

- *Planning Commission Representation at City Council Public Hearings* – City Council public hearings will be placed on Planning Commission agendas, at which time the Commission can represent their opinion.
- *Isso Rezoning Request for a Gas Station (Z-686) located on the northwest corner of Wattles and Dequindre Roads* – Mr. Motzny announced the lawsuit on this matter has been dismissed with prejudice.

5. BOARD OF ZONING APPEALS REPORT

Mr. Kramer reported there were no significant matters heard at the November 18, 2003 meeting of the Board of Zoning Appeals.

6. DOWNTOWN DEVELOPMENT AUTHORITY (DDA) REPORT

Mr. Miller reported on the following items discussed at the November 19, 2003 Downtown Development Authority meeting.

- *Big Beaver Road Landscaping and Grading* – The DDA feels strongly that all landscaping along the Big Beaver Road corridor should be top-notch (“Disneyland-like”). The Planning Commission discussed briefly the selection process of landscape contractors. The Planning Department will provide to Mr. Strat a map designating the DDA boundary.
- *PUD Sterling Corporate Center* – A presentation of the Sterling Corporate Center PUD was given to the DDA by Mr. Miller.
- *Urban Design along Big Beaver Road* – The DDA is requesting City Management to come forward with an urban design for the Big Beaver Road corridor in an effort to formalize future urban changes along Big Beaver Road and to create a landscaping concept.

Ho, Ho, Ho – An unexpected visit was made by Kris Kringle of the North Pole. Mr. Kringle wished everyone a very merry holiday.

- *Detroit Crains Article* – The October 17, 2003 article referencing Oakland County funding support for projects was distributed.
- *Public Comments* – Public comment made by Mr. Chamberlain referenced (1) evergreens and trees that are overgrown after 10 years are a danger and hazard to pedestrian walkways; (2) gateway signage; and (3) the DDA’s active participation in the review and potential revamping of the PUD ordinance language.

- *Ford Motor Company Conference and Event Center in Dearborn* – The City Council accepted the invitation from DDA Chairman to visit the Ford Motor Company Conference Center in June 2004.

7. SUB-COMMITTEE REPORTS

CR-1

After a final review of the draft language by committee members, the final proposed text ordinance language will be provided for the January 6, 2003 Special/Study Meeting. Mr. Miller said the Legal Department has provided its comments and he anticipates getting comments from City management prior to going to public hearing.

Tree Preservation / Landscaping / Walls

Mr. Savidant said there is nothing new to report.

Gateway / Beautification

Mr. Savidant displayed the Gateway Concepts A and B, designed by a landscape architect from Professional Engineers Associates, that were forwarded to the Parks & Recreation Director for review and comments. Mr. Savidant reported that the Parks & Recreation Director, Carol Anderson, is not in favor of either concept. Ms. Anderson also questioned the financing aspect of providing gateway signage for the City. Mr. Savidant clarified that the gateway signage is a part of the approval process of two proposed Planned Unit Development projects and financing the signage should not be a consideration.

Discussion followed with respect to the actual designs and the responsibility of final approval of the design.

Mr. Strat commented that the design concepts are amateurish with no related theme to the City. He said the design concepts are not representative of the "City of Tomorrow Today".

Resolution # PC-2003-12-061

Moved by: Chamberlain

Seconded by: Waller

RESOLVED, To forward Gateway Concepts A and B to the City Council for review at its December 15, 2003 Regular Meeting, with the explanation that the design comprises three parts (primary, secondary and tertiary) for all entrances of the City of Troy, that the gateway signage is to be completed in the future when funds become available from various sources, and that the timing for approval of the gateway signage is of extreme importance because of the impending Planned Unit Development projects and the Downtown Development Authority streetscape plan.

Yes: Chamberlain, Kramer, Littman, Storrs, Waller

No: Schultz, Strat, Vleck, Wright

MOTION CARRIED

Mr. Wright said both designs are horrible.

Mr. Schultz agreed and said he could not support sending the designs to anyone.

Mr. Strat suggested that the design could have been presented to local universities as a competition.

Mr. Vleck said he would have preferred to have seen the designs sooner so more time could have been given to coming up with an appropriate design.

Ms. Parker suggested that the City of Troy Library might be a good resource for design concepts.

Special Use

Mr. Chamberlain questioned the status of the typing to be provided by the Planning Department.

Mr. Miller said the workload of the Planning Department has been extremely high due to six agenda deadlines per month. The Planning Department will handle the typing as time becomes available.

Mr. Savidant stated for the record that no work has been buried, nor has he been instructed to bury any work.

Indoor Commercial Recreation

Chairman Littman requested the Planning Department to eliminate the Indoor Commercial Recreation. Mr. Miller said he believed the item should remain on the agenda because the petitioner's request is pending.

8. BACK TO THE FUTURE VIDEO

The video *Back to the Future* was viewed.

Discussion and comments followed with respect to new urban planning.

9. ZONING ORDINANCE TEXT AMENDMENT (ZOTA 199) – Article 03.40.00 Site Plan Approval

Mr. Miller reported City Council adopted a resolution that referred the matter back to the Planning Commission for further review. He indicated that City Council gave no specific direction, but noted that a lot of discussion was on snow removal.

Mr. Miller addressed three minor revisions recommended by City Management.

1. City Management recommends that a wetlands determination be submitted only when the Natural Features Map indicates the possibility of wetlands, and further that the authority be given to the Planning Director to waive the wetlands determination requirement.

The Commission was in concurrence with the recommendation.

2. City Management recommends eliminating the requirements of submitting floor plans, building elevations and grading plans with the Preliminary Site Plan application.

It was the consensus of the Commission that preliminary floor plans, preliminary building elevations and proposed grading plans should be a requirement for Preliminary Site Plan application.

3. City Management recommends that the methods used to remove snow and the location of on-site snow storage areas should not be required to be shown on the site plan.

The Commission agreed to eliminate snow removal from site plan approval requirements because snow removal is now incorporated in off-street parking requirements.

Mr. Motzny confirmed that a public hearing would not be necessary for the language revisions agreed to this evening because the revisions were not substantial.

Chairman Littman requested the Planning Department to prepare the revised language for the January meeting.

10. ZONING ORDINANCE TEXT AMENDMENT (ZOTA 182) – Article 12.00.00 and 30.10.08 R-1T One Family Cluster

Mr. Miller reported City Council adopted a resolution that referred the matter back to the Planning Commission for further review of sidewalks, safety walks and the snow removal plan.

Mr. Miller addressed three minor revisions recommended by City Management.

1. City Management recommends changing the verbiage of Section 12.50.05 to require sidewalk and safety path connections wherever feasible, and requested clarification that “planned safety paths” are delineated on the City of Troy Transportation Plan.

Mr. Miller said the City Council questioned the impact of safety paths and had a concern with the public utilizing private walks.

The Commission concurred that the verbiage should be revised to read: “pedestrian interconnectivity shall be provided.”

2. City Management recommends eliminating Section 12.50.07 that requires the preparation of a Snow Removal Plan.

The Commission agreed to eliminate Section 12.50.07, Snow Removal Plan.

3. City Management recommends eliminating Section 12.50.08 that lists guest parking requirements for R-1T developments.

The Commission concurred to eliminate Section 12.50.08.

4. City Management recommends amending Section 12.50.09 to eliminate the possibility of interconnectivity between an internal private street in an R-1T development with an internal public street in an adjacent neighborhood, and further eliminate the requirement of common access drive for abutting developments.

It was the consensus of the Commission that Section 12.50.09 should remain as originally proposed.

11. REVIEW OF DECEMBER 9, 2003 REGULAR MEETING

Items briefly discussed were:

- Proposed Crestwood Site Condominium (Revised Plan), 23 units proposed, North side of Wattles, East of Livernois, Section 15 – R-1C
- Proposed Fleming's Steakhouse & Wine Bar, South side of Big Beaver, West of Coolidge (3001 W. Big Beaver), Section 30 – O-S-C

12. PUBLIC COMMENT

There was no one present who wished to speak.

GOOD OF THE ORDER

Mr. Strat asked to share his experience from his attendance at the "Integrating Water and Natural Resources Protection into the Planning Process" seminar and also his knowledge of architectural contract standards.

Chairman Littman suggested to place Mr. Strat on the January 6, 2003 Special/Study meeting agenda to discuss both items. Mr. Strat agreed.

Mr. Miller brought to the Commissioner's attention that an updated version of the By-laws was provided in their meeting packet. Mr. Miller inadvertently did not place the proposed voting requirement revisions (ZOTA 203) on tonight's agenda. It was agreed to place the item on the December 9, 2003 Regular Business Meeting.

Mr. Waller referenced the petitioner's provision of 1100 linear feet of sidewalk in the right-of-way for the proposed Maggiano's restaurant. He said this concept should be viewed as setting a new standard for any project that comes forth in the City of Troy.

Mr. Kramer referenced an e-mail message sent by Mr. Storrs regarding the Civic Center Task Force and said he appreciated the summary.

Chairman Littman requested the Planning Department to place the Civic Center Task Force under the sub-committee reports.

There was a brief discussion on the Planning Commission term limits. The terms are limited to 3 three-year terms.

Mr. Strat requested the colored, graphic portions of the Urban Design booklet that was provided to the Commission.

ADJOURN

The Special/Study Meeting of the Planning Commission was adjourned at 11:00 p.m.

Respectfully submitted,

Lawrence Littman, Chairman

Kathy L. Czarnecki, Recording Secretary

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A regular meeting of the Troy Building Code Board of Appeals was held Wednesday, December 3, 2003 at City Hall in the Lower Level Conference Room. Ted Dziurman, Chairman, called the meeting to order at 8:30 A.M.

PRESENT: Ted Dziurman
Rick Kessler
Bill Nelson
Tim Richnak
Frank Zuazo

ALSO PRESENT: Mark Stimac, Director of Building & Zoning
Ginny Norvell, Housing & Zoning Inspector Supervisor
Pam Pasternak, Recording Secretary

ITEM #1 – APPROVAL OF MINUTES – MEETING OF WEDNESDAY, NOVEMBER 5, 2003

Motion by Nelson
Supported by Richnak

MOVED, to approve the minutes of the meeting of Wednesday, November 5, 2003 as written.

ITEM #2 – VARIANCE REQUEST. JIM POWELL, REPRESENTING MAGGIANO’S RESTAURANT, 2085 W. BIG BEAVER, for relief of Chapter 78, the Sign Ordinance to put up three (3) additional tenant identification signs on a new building.

Mr. Stimac explained the petitioner is requesting relief of Chapter 78 to put up three (3) additional tenant identification signs on a new building. Section 9.02.03 D of the Sign Ordinance permits only one tenant identification sign, not to exceed 20 square feet in size. The application submitted indicates one additional tenant identification sign (wall awning) 15 square feet in size, another wall sign, 81 square feet in size, and a third wall sign 57 square feet in size, which projects 6.5 feet from the building wall. Section 7.01.04 of the Sign Ordinance additionally prohibits projecting signs.

Mr. Jim Powell and Mr. Stan Finsilver, the property owner, were present. Mr. Powell explained that besides the restaurant, Maggiano’s has a banquet hall and they would like the sign on the west wall of the building to indicate the banquet entrance. Mr. Powell said that because this restaurant is located between two office buildings, he felt that visibility was a problem. Mr. Powell also said that as part of their site plan approval; they are required to add seventeen (17) trees along Big Beaver, which will also make visibility difficult. The 81 square foot wall sign is Maggiano’s identifying sign.

The Chairman opened the Public Hearing.

ITEM #2 – con't.

Mr. Finsilver stated that he is very much in favor of this request, although he does not want too many signs on the property. Mr. Finsilver also stated that the reason he has reserved the right to retain the primary wall sign of 200 square feet, was in case someone leased a large portion of his building they would have the ability to put up an identification sign.

Mr. Dziurman asked if the sign requirements would be different if this was a freestanding building. Mr. Stimac indicated that because it is in the OSC Zoning District, a freestanding restaurant would not be a permitted use.

Mr. Nelson asked if the address was going to be included on the awning sign. Mr. Powell indicated that they would put the address on the building.

Mr. Richnak asked how large the Champs sign was and Mr. Stimac indicated that he thought it was approximately 200 square feet or less. Mr. Richnak asked if a variance would still be required if they did not dedicate the 200 square foot sign. Mr. Stimac stated that a variance would still be required for the second awning sign as well as the projecting sign.

No one else wished to be heard and the Public Hearing was closed.

There are no written approvals or objections on file.

Mr. Dziurman indicated that he would not have a problem approving the awning and asked if this was a national franchise and if this was the standard identification sign. Mr. Powell indicated that it was and this was in fact the standard ID sign. Mr. Powell also stated that originally they were going to ask for approximately 15 signs, but had downsized their request.

Mr. Zuazo asked if the projection sign was their signature sign and Mr. Powell said that it was and the signs were the exactly the same on all of their restaurants.

Mr. Richnak asked if the previous tenant, Rio Bravo, had required a variance for their sign. Ms. Norvell stated that they had been granted a variance to have an identification sign, which was 48 $\frac{3}{4}$ square feet. Mr. Finsilver said that he understood the Ordinance regarding a freestanding restaurant, but felt that this was more of a retail operation and felt that this request was tasteful and not objectionable.

Mr. Kessler stated that the marquis type sign is prohibited by the Ordinance and he was not in favor of granting the request for this type of sign. Mr. Kessler also indicated that he thought the request was excessive and did not see what the hardship was. Mr. Richnak agreed with Mr. Kessler.

ITEM #2 – con't.

Motion by Richnak
Supported by Nelson

MOVED, to grant Jim Powell, representing Maggiano's Restaurant, 2085 W. Big Beaver, relief of Chapter 78 to put up one additional tenant identification sign (wall awning) 15 square feet in size, and a second wall sign, 81 square feet in size.

- Additional signs will improve visibility to oncoming traffic.
- Variance is not contrary to public interest.
- Variance would not have an adverse effect to surrounding property.

Yeas: All – 5

MOTION TO APPROVE REQUEST FOR TWO ADDITIONAL TENANT IDENTIFICATION SIGNS CARRIED

Motion by Richnak
Supported by Nelson

MOVED, to deny Jim Powell, representing Maggiano's Restaurant, 2085 W. Big Beaver, relief of Chapter 78 to install a 57 square foot wall sign, which would project 6.5' from the building wall.

- Petitioner did not demonstrate a hardship that would justify a variance.

Yeas: All – 5

MOTION TO DENY REQUEST FOR 57 SQUARE FOOT PROJECTING WALL SIGN CARRIED

ITEM #3 – VARIANCE REQUEST. JOSEPH CRAIG, THE ESTATES AT CAMBRIDGE SUBDIVISION, for relief of Chapter 83, the Fence Ordinance, to construct an entrance wall at the Estates at Cambridge Subdivision.

Mr. Stimac explained that the petitioner is requesting relief to construct an entrance wall. The site plan submitted indicates a masonry wall at the entrance of the new Estates at Cambridge Subdivision. This wall, which varies in height from 6' to 11', is located in the required front setbacks along Beach Road and Ravenwood Court. Chapter 83 limits the height of fences and masonry walls to 30" in front of the building setback lines.

Mr. Joseph Craig was present and stated that he is in the process of putting in an upscale subdivision with homes in the \$900,000.00 + range and feels that this entrance wall will be in keeping with this development.

ITEM #3 – con't.

The Chairman opened the Public Hearing.

Mr. Eric Pierce, 4105 Beach Road, was present and stated that he objected to this request. Mr. Pierce said that he is three houses down from this development and does not feel that this wall would be in keeping with the look of this area. Mr. Pierce also said he does not want a “walled community”.

No one else wished to be heard and the Public Hearing was closed.

There is one (1) written approval on file. There are two (2) written objections on file.

Mr. Craig said that only a portion of the request included a wall; the rest is for fencing.

Mr. Richnak asked Mr. Stimac if these are corner lots and Mr. Stimac explained that they are considered to be double front through lots in that both ends of these lots front on a public road.

Mr. Nelson asked if this wall would affect any easements and Mr. Stimac said that there are no utility easements located in the area where the sign is proposed.

Mr. Kessler said that usually the petitioner would present the Board with a landscape plan, so the Board could determine if enough landscaping would be provided to incorporate the wall into the surrounding area with very little impact. Mr. Kessler also indicated that he is concerned because this would set a precedent for the residents moving in to this area to also request variances for fences.

Mr. Nelson asked if the condo development across the street from this subdivision had submitted a request for a wall. Mr. Stimac stated that he had not seen a request for a wall or fence at this time.

Mr. Craig stated that his company owned a landscape company and had just completed Bailey's Vineyard and Adams Pointe. Mr. Craig said that these developments also had an entrance wall. Mr. Craig stated that he did not think he required a variance for the wall along Coolidge Road. Mr. Stimac explained that in that case the property north and south did not front on Coolidge and therefore a variance was not required. Mr. Stimac also explained that as part of the subdivision approval a landscape plan was submitted, however, did not know if the proposed landscaping was enough to buffer this proposed wall. Mr. Stimac also said that there is a landscape architect on staff who would look over the plan to make sure the requirements of the Ordinance were met.

Mr. Nelson stated that part of this wall would be placed 1' from the sidewalk and did not feel that enough landscaping would be put in this area to buffer the wall. Mr. Dziurman asked if the sidewalk was required and Mr. Stimac said that it was.

ITEM #3 – con't.

Mr. Richnak said that he thought that by granting this variance it would set a precedent and felt that other developers or homeowners would also ask for variances for fences, which if granted, would detract from the character of Beach Road. Mr. Kessler said that he agreed with Mr. Richnak and was also concerned about setting a precedent.

Mr. Richnak then asked if these walls would enclose any of the proposed homes. Mr. Stimac stated that it would not; however, it was conceivable that a homeowner could add more fencing to enclose their property. Mr. Nelson asked if there were deed restrictions in place regarding fencing, and Mr. Craig said that they are in the process of creating deed restrictions.

Mr. Zuazo asked if a landscape plan could be presented to this Board before any decision was made. Mr. Kessler said that he thought the wall was too close to the sidewalk to allow for adequate landscaping and would also like to see a landscape plan. Mr. Zuazo asked if the fence could be placed further back and Mr. Craig indicated that he thought it could.

Motion by Richnak
Supported by Zuazo

MOVED, to postpone the request of Joseph Craig, The Estates at Cambridge Subdivision, for relief of Chapter 83, to construct an entrance wall varying in height from 6' to 11' in the front setbacks along Beach Road and Ravenwood Court until the meeting of January 7, 2004.

- To allow the petitioner the opportunity to present the Board with a landscape plan, which would indicate buffering of this wall.
- To allow the petitioner the opportunity to determine if this wall could be repositioned.

Yeas: All – 5

MOTION TO POSTPONE REQUEST UNTIL MEETING OF JANUARY 7, 2004
CARRIED

ITEM #4 – VARIANCE REQUEST. BARB CHETCUTI OF METRO DETROIT SIGNS, 575 W. BIG BEAVER, for relief of Chapter 78, the Sign Ordinance, to remove two (2) existing sign boxes and replace them with boxes of the same size.

Mr. Stimac explained that the petitioner is requesting relief of Chapter 78 to remove two (2) existing sign boxes and replace them with boxes of the same size. The total size of the sign is calculated as 328 square feet and is setback 14' from the Big Beaver Right of way and 15' from the I-75 Right of Way.

ITEM #4 – con't.

Section 9.02.03, B of Chapter 78, the Sign Ordinance, limits the size of the ground sign to 200 square feet and requires a 30-foot setback from both rights of way for a sign of that size and height. The existing sign placement was approved through a variance granted by City Council on August 24, 1992. Any structural change in the sign, such as the proposed box replacements, requires a new variance.

Mr. Paul Deters of Metro Detroit Signs and Mr. Steven Bollinger, Vice President of Drury Inns were present.

Mr. Bollinger stated that basically they are trying to modernize this sign. Mr. Bollinger said that they have spent a large amount of money in adding to this hotel and would like to update this sign to reflect these changes

The Chairman opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

There are no written approvals or objections on file.

Motion by Nelson
Supported by Kessler

MOVED, to grant Metro Detroit Signs, 575 W. Big Beaver, relief of Chapter 78 to remove two (2) existing sign boxes and replace them with boxes of the same size, setback 14' from the Big Beaver right of way and 15' from the I-75 right of way.

- Variance is not contrary to public interest.
- Variance would not have an adverse effect to surrounding property.
- Signs are the same size as previously approved.

Yeas: All – 5

MOTION TO GRANT REQUEST CARRIED

ITEM #5 – VARIANCE REQUESTED. MARCOS MAKOHON, KA ARCHITECTURE, 900 TOWER, for relief of Chapter 78, the Sign Ordinance, to install two (2) wall signs, each 191 square feet in size.

Mr. Stimac explained that the petitioner is requesting relief of Chapter 78 to install two (2) wall signs, each 191 square feet in size. Section 9.02.03, A of the Sign Ordinance permits one primary wall sign not to exceed 200 square feet in size.

Mr. Marcos Makohon, Mr. Tom Shafer, President of Citizens Bank, and Mr. Andrew Tracey were present.

ITEM #5 – con't.

Mr. Shafer stated that Citizens Bank is going to be investing a large sum of money in Oakland County and plan to make this location their main headquarters. Mr. Shafer also said that they wished to have two (2) signs in order to make their bank very visible to traffic along both north and south I-75. Mr. Shafer further stated they would be leasing one and one-half floors of this building and is also looking into other properties in the Troy area in order to expand their presence in this area.

Mr. Dziurman asked what type of signage was previously on this building. Ms. Norvell stated that NBD originally had two (2) signs, which were 100 square feet and a subsequent tenant changed that to one sign, which was 198 square feet.

Mr. Makohon said that this is the catalyst of their plan for expansion in Oakland County. Mr. Makohon also said that the shape of this building creates a hardship for people to identify this location. Mr. Makohon indicated that they wanted their location to be as visible as possible for traffic heading both north and south on I-75. Mr. Makohon also said that the new logo of Citizen Banks was rectangular.

Mr. Richnak asked if the height of the building affects the size of the sign. Mr. Stimac stated that the Ordinance limits the size of a sign to 10% of the front face of the building up to 200 square feet.

Mr. Zuazo asked about the previous sign and Mr. Stimac said that originally there were two (2) signs, each 100 square feet and then Bank One went to one sign, which was 198 square feet. Mr. Zuazo then asked what other tenants would be in this building. Mr. Shafer stated that presently there is an advertising company and an architectural firm in this building. Mr. Shafer did not know whom the future tenants would be. Mr. Zuazo then asked what would happen regarding signage for future tenants. Mr. Stimac indicated that other than the 20 square feet of signage allowed on the first floor of the building, the only thing future tenants would be able to do was to add their names to the pylon sign.

Motion by Richnak
Supported by Nelson

MOVED, to grant Marcos Makohon, KA Architecture, 900 Tower, relief of Chapter 78 to install two (2) wall signs, each 191 square feet in size.

- Signage will allow for greater visibility.
- Location and shape of the building makes visibility of a single sign difficult.
- Variance is not contrary to public interest.
- Variance would not have an adverse effect to surrounding property.

Yeas: All – 5

ITEM #5 – con't.**MOTION TO GRANT VARIANCE CARRIED**

ITEM #6 – VARIANCE REQUESTED. DAN HEILEMAN, OF HEILEMAN SIGNS, 1696 MAXWELL – AKZO NOBEL, for relief of Chapter 78 to maintain a 31 square foot wall sign installed without the required permit.

Mr. Stimac explained that the petitioner is requesting relief of Chapter 78 to maintain a 31 square foot wall sign installed without the required permit. Section 9.02.05, D of Chapter 78 limits the size of a secondary wall sign to 20 square feet in size.

Mr. John Chodkiewicz of Akzo Nobel was present and stated that basically this sign is being used to promote their products. Mr. Dziurman asked how the sign was erected without a permit. Mr. Chodkiewicz said that an application had been discussed with Heileman Signs; however, they ran into a time frame problem because they were having clients from Europe come to look at their new products. Mr. Chodkiewicz said that this property is used to train people regarding these products. Mr. Chodkiewicz further stated that he tried to straighten everything out, but was told that Heileman Signs would have to come in and clear up this problem. Mr. Chodkiewicz also stated that they could put up a pedestal sign, which would not require a variance.

The Chairman opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

There is one (1) written approval on file. There are no written objections on file.

Mr. Chodkiewicz further stated that these signs are not very visible to traffic and most people have to actually pull up to the building in order to read them. Akzo Nobel is the biggest coating company in the world and they just wanted people to be aware of their new products. Mr. Chodkiewicz also said that if this variance was not granted, they would probably take down the wall signs and put up a pedestal sign, which would actually be more visible as it would be able to be placed closer to the road. Mr. Stimac asked if the sign could be relocated and incorporated with the primary AKZO Nobel sign, which would comply with the Ordinance and Mr. Chodkiewicz said that if he did that he would have to re-spray all the brick.

Mr. Kessler asked if this variance would take the place of the ground sign and Mr. Chodkiewicz said that it would. Mr. Dziurman asked if one of the conditions of the variance could stipulate that a ground sign would not be installed. Mr. Stimac informed him that the Board could grant the variance and indicate any reasonable stipulation. Mr. Stimac also stated that he felt it would be reasonable to state that a ground sign could be erected, limiting the maximum size to 36 square feet.

ITEM #6 – con't.

Mr. Richnak asked if they owned this building and Mr. Chodkiewicz stated that they lease this building. Mr. Chodkiewicz also indicated that if they were to leave they would take their sign down.

Mr. Stimac pointed out that the Sign Company submitted this application and we do not have an authorization letter from the owner of the building allowing this variance request. Mr. Stimac also said that he thought it would be difficult to grant a variance and place a restriction on the owner of the property without the owner's consent.

Motion by Nelson
Supported by Richnak

MOVED, to postpone the request of Dan Heileman, of Heileman Signs, 1696 Maxwell – Akzo Nobel, for relief of Chapter 78 to maintain a 31 square foot wall sign installed with the required permit until the next meeting of January 7, 2004.

- To allow the petitioner the opportunity to obtain an authorization letter from the owner of the building.
- To allow the petitioner to inform the owner that one of the potential conditions of the variance would limit the size of a ground sign to 36 square feet.

Yeas: All – 5

MOTION TO POSTPONE REQUEST UNTIL THE MEETING OF JANUARY 7, 2004
CARRIED

The Building Code Board of Appeals meeting adjourned at 9:53 A.M.

Ted Dziurman, Chairman

Pamela Pasternak, Recording Secretary

Advisory Committee for Senior Citizens

A Regular meeting of the Advisory Committee for Senior Citizens was held on Thursday, December 4, 2003 at the Troy Community Center. Chairman David Ogg called the meeting to order at 10 AM.

Present: David Ogg, Chairman JoAnn Thompson, Member
Ed Forst, Vice-Chairman Jane Crowe, Member
Bill Weisgerber, Member Merrill Dixon, Member
Steven Banch, Member Carla Vaughan, Staff

Absent: Jo Rhoads - excused

Visitors: Mary Kerwin, Mary Beth Halushka

Approval of Minutes

Resolution # SC-2003-12-001
Moved by Merrill Dixon
Seconded by Marie Hoag

RESOLVED, That the Minutes of Nov. 6, 2003 be approved as submitted.

Yes: 7
No: 1

MOTION CARRIED

Addition of Rochester Senior Center item to agenda

Resolution # SC-2003-12-002
Moved by Marie Hoag
Seconded by Bill Wesigerber

RESOLVED, That an item about the Rochester Senior Center be added under old business.

Yes: 8
No: 0

MOTION CARRIED

Addition of Senior Budget item to agenda under old business.

Resolution # SC-2003-12-003
Moved by Bill Weisgerber
Seconded by Ed Forst

RESOLVED, That an item about the senior budget be added under old business.

Yes: 8

No: 0

MOTION CARRIED

Visitor Comments

Mary Kerwin introduced Mary Beth Halushka, the newest member of the Troy School Board. She invited seniors to attend any of the upcoming free holiday concerts at their local school and provided ticket information about this Friday's Chenille Sisters concert.

Old Business:

Civic Center Task Force: David Ogg reported that the task force will present their proposal to City Council in January. It includes ice skating and sledding, gardens, fountains, pathways, and an amphitheater. He also discussed the April ballot issue regarding selling some land for commercial use.

Resolution # SC-2003-12-004

Moved by Steve Banch

Seconded by Marie Hoag

RESOLVED, That the Senior Advisory Committee will schedule a presentation about the convention center ballot proposal during their regular meeting on January 8 at 9:30 a.m. David Ogg will invite speakers to present both sides and work with Carla to publicize the meeting.

Yes: 8

No: 0

MOTION CARRIED

Rochester Senior Center: Marie Hoag reported that the building is beautiful but very big. David Ogg will arrange a tour for the committee in early January.

Separate Senior Budget: Bill Weisgerber and Merrill Dixon reported on their meeting with Carol Anderson and Larry Jose. The committee would like the information about the amount that the program is subsidized to be published in the senior newsletter. Carla will put this information in the January newsletter.

New Business

Date of January Meeting: Since the first Thursday in January is New Year's Day, the committee will hold their January meeting on the second Thursday and begin at 9:30 a.m. to allow time for the Civic Center presentation.

Reports

Park Board: Merrill Dixon reported that they were introduced to Erika Poplar, a new staff person who will work on sponsorships and promotion.

Medi-Go: No report.

Lunch Attendance: Carla reported that she has still not received a report from Emerald for September, October or November. The committee would like the menu printed in the newsletter and David Ogg will call Kim at Emerald Food Service about this.

Senior Program Report: Carla reported that Creative Endeavors senior store has reached two milestones: sales have surpassed \$15,000 and there are now over 100 vendors. The emergency cell phone program has been in existence for a year now, and we have given out over 300 phones.

OLHSA: No report.

Suggestions: A senior has suggested that the water cooler be kept out during bingo. Carla has asked JoAnn to do this although JoAnn feels that there will be a problem with the seniors spilling the water.

Member Comments

JoAnn Thompson handed out applications for the spring session of the Citizens Academy. Bill Weisgerber asked if the televisions at the Community Center could be kept on the City channel all the time. Carla will discuss this with the building supervisor.

The meeting was adjourned at noon.

Respectfully submitted,

David Ogg, Chairman

Carla Vaughan, Secretary

Call to Order

The regular meeting of the Ethnic Issues Advisory Board was called to order on December 9, 2003 at 7:10 p.m. in Conference Room C at Troy City Hall.

Roll Call

| | | |
|----------|--|--|
| Present: | Anju Brodbine Amin Hashmi Tom Kaszubski Hailu Robele Flora Tan | Charles Yuan Katie Beyer, Student Rep Kara Huang, Student Rep Cindy Stewart, City Liaison |
| Guest: | Jeff Hyun | |
| Absent: | Oniell Shah, Padma Kuppa | |

Approval of Minutes

Motion by Yuan, support by Robele to approve November 4, 2003 minutes. Approved unanimously.

Visitor Jeff Hyun

Visitor Jeff Hyun is of Korean descent and originally from Tokyo, Japan. He came to the US in 1976 and went to Michigan Tech. An automotive engineer, he worked at GM and moved to Troy 2 years ago. He speaks Japanese, English and Korean. He has 2 kids at Boulan Middle School.

Projects he'd like to see this Board get involved with: helping foreign people transition better after moving to Troy.

Board Idea for "host families" to assist people new to this country. Work with the schools to assist new families. Contact ESL teachers to ask if any of the students and families need assistance. Tom will be meeting with Mike Williams and Barb Fowler and include Bob Stromayer from Niles Community Education re: this idea.

Correspondence

Re: Martin Jones re: Baha'i Faith, Hailu found a speaker for their group to speak in January.

Recycling/Refuse Coordinator

Public Works Director and Recycling/refuse Coordinator would like our assistance in translating refuse/recycling brochure. Cindy contacted Tim McAvoy, Troy Schools re: possibility of getting names and addresses of residents who speak the additional languages in Troy schools. This would be how we'd get them the translated brochures.

Troy Daze Festival: Chairman of Festival and Chairman of Advisory Board would like to meet with EIA Board in January meeting. Board agreed to put them on January 6, 2004 agenda.

Old Business

I. Sights and Sounds

- A. Charles had meeting with committee to plan Sights & Sounds of China program February 7, 2004. This Saturday, Troy Dance Studio will have a Chinese program. Charles is helping organize dragons, Tai Chi demos, dancers, singers, Chinese culture and artwork booths for our event. Flag color is red and we have red balloons.
- B. Charles is now VP of Chinese Association of Greater Detroit.
- C. Kara suggests students from Chinese School perform to get more kids and teens at event.
- D. Food Issue: We can only purchase food from Emerald Foods. We will let ethnic group know.
- E. Board decided to skip January Sights & Sounds. We will meet with rep from Chinese group at January meeting. Future Sights & Sounds have rep from group meet with EIA Board 2 months prior to event to learn our expectations and one month before event to tell us the schedule for day's event.
- F. January meeting: Charles reports on China, February meeting have Middle East rep and March Greek rep.
- G. Amin will contact Pakistan re: March and Cindy will contact Willie re: Philippines

II. Resource List

- A. Continue to compile information for resource guide, churches, schools, translators, local businesses to assist people new to this country. Troy Eccentric will do a promotional article.

III. Diversity Week

- A. May 3-9, 2004. Cindy talked with Carmen Kennedy re: Troy High's Becoming United Club getting involved in Diversity Week. Resend letters to churches, schools, businesses in January.
- B. Schools: concert, variety show, fashion show, parent volunteers to come in and teach about their culture (dress, tradition, food); program at nursing homes.
- C. Churches: concerts, services, religious studies.

IV. Law brochures: Continue to find translators- need info on CDs or disk.

Board member comments:

Board recommends to Council Jeff Hyun as new member.

Motion by Robele, seconded by Hashmi to adjourn - Meeting adjourned at 9 pm.

Tom Kaszubski, EIA Board Chairman

Cindy Stewart, Recording Secretary

The Regular Meeting of the Troy City Planning Commission was called to order by Chairman Littman at 7:30 p.m. on December 9, 2003, in the Council Chambers of the Troy City Hall.

1. ROLL CALL

Present:

Dennis A. Kramer
Lawrence Littman
Robert Schultz
Walter Storrs
Thomas Strat
Mark J. Vleck
David T. Waller
Wayne Wright

Absent:

Gary Chamberlain

Also Present:

Mark F. Miller, Planning Director
Brent Savidant, Principal Planner
Allan Motzny, Assistant City Attorney
Kathy Czarnecki, Recording Secretary

Resolution # PC-2003-12-062

Moved by: Schultz
Seconded by: Wright

RESOLVED, That Mr. Chamberlain be excused from attendance at this meeting.

Yes: All present (8)
No: None
Absent: Chamberlain

MOTION CARRIED

2. MINUTES

Mr. Miller confirmed that the word "authorization" was written on the memo pad for bullet #5 listed under the *Options* for the *Issue Maintain Culture of Professionalism*.

Resolution # PC-2003-12-063

Moved by: Wright
Seconded by: Storrs

RESOLVED, To approve the October 28, 2003 Joint City Council/Planning Commission Meeting minutes as published.

Yes: All present (8)
No: None
Absent: Chamberlain

MOTION CARRIED

3. PUBLIC COMMENTS

There was no one present who wished to speak.

SITE CONDOMINIUM SITE PLAN

Chairman Littman extended apologies to the abutting homeowners who received notifications of the proposed Crestwood Site Condominium development at such a late date.

Mr. Waller requested a legal opinion as to whether or not Item 4, Crestwood Site Condominium, should be tabled because notifications were not received in a timely manner.

Mr. Motzny responded there is no legal requirement to table the item and no reason why the Commission cannot proceed at this time; however, the Commission has the discretion to table the item if it wishes.

4. SITE PLAN REVIEW – Proposed Crestwood Site Condominium (Revised Plan), 23 units proposed, North side of Wattles, East of Livernois, Section 15 – R-1C

Mr. Savidant presented a summary of the Planning Department report for the proposed Crestwood Site Condominium. Mr. Savidant reported that it is the recommendation of the Planning Department to approve the preliminary site plan application subject to four conditions: (1) redesign the street layout to replace unit 12 with a direct vehicular connection onto Wattles Road; (2) dedicate the detention basin to the City of Troy and construct a 12-foot wide paved driveway for future maintenance; (3) provide a walkway to connect Wattles Road and the proposed street; and (4) clearly mark the “open space” on the site plan as “future convertible area” as required by the Condominium Act.

Mr. Kramer asked for clarification on the Planning Department’s recommendation to provide a public walkway.

Mr. Miller explained that should the proposed development be approved with no connection to Wattles Road, the Planning Department recommends that a pedestrian connection be provided, which could be combined with the access to the storm water retention basin.

Mr. Strat asked for confirmation that the Fire Department reviewed the proposed plan, noting the dead end road situation.

Mr. Savidant confirmed the plan was reviewed by the Fire Department and noted the Fire Department's preference would be to have a cul de sac. The Fire Department gave approval of the plan because the plan is well designed to handle the turning radius and weight requirements of emergency vehicles, and it is understood that the road is temporary because the applicant has indicated his intention for future development.

Mr. Miller stated that the possibility of future development has posed a problem with respect to whether designations on the site plan are temporary or permanent.

Mr. Strat asked if some creativity, character or ambience could be used in the construction of the public walkway that is also to be used for access to the retention basin.

Mr. Miller agreed and encouraged Mr. Strat to ask the petitioner how and if that could be accomplished.

Mr. Miller requested the Assistant City Attorney to address "convertible areas" within site condominium developments.

Mr. Motzny said the Condominium Act allows for a "convertible area" and provided the definition of "convertible area" as defined in the Condominium Act. Mr. Motzny read the specific requirements of a "convertible area" as stipulated in Section 31 of the Condominium Act.

There was a brief discussion on the location of the temporary construction access road. Mr. Miller said it is the suggestion of the Planning Department to locate the construction access road between units 8 and 9, and noted the petitioner has indicated the access would not be located in the wetlands area.

The petitioner, Mike Lamb of RWT Building LLC, 2065 Livernois, Troy, was present. Mr. Lamb thanked the Planning Department and others for their assistance in the long development process for this piece of property. Mr. Lamb addressed the construction road access. He indicated the existing road located on the highest point of the property would be used, and the open space would remain undisturbed.

Mr. Lamb agreed to provide a public walkway with access onto Wattles Road and an 8-foot wide sidewalk along Wattles Road, as recommended by the Planning Department. Mr. Lamb proposed an alternate plan to provide an asphalt pathway through the open space, if it is feasible.

Mr. Lamb said that the access to the retention basin for maintenance purposes would be provided as directed by the Engineering Department.

Mr. Lamb addressed the limited common area. Mr. Lamb said it was originally intended to provide the future access to Livernois as a compromise measure between the homeowners, the Planning Commission and the recommendations of the City.

Should the City desire a connection to Wattles Road, there would be space available and language would be provided in the condominium documents to allow the City to provide the connection. Mr. Lamb stated that for potential future development, he would like the ability to continue the road to Livernois and provide more lots. He stated that currently it is not financially feasible because of the retention pond and wetlands area. Mr. Lamb stated that the flood plain would remain as a natural area for the enjoyment of residents, now and in the future.

Mr. Kramer asked if the site plan as displayed on the tripod is the site plan for approval by the Commission, with the only modification being the slight movement of the 12-foot wide detention access.

Mr. Lamb responded in the affirmative. He indicated that his attorney would provide the "convertible area" language required to be clearly marked on the site plan.

Mr. Waller asked the petitioner if he intends to make the public walkway access along the north side of the retention pond coming out to Wattles Road a little further to the west.

Mr. Lamb responded in the affirmative. He indicated he would pursue the feasibility of providing an asphalt pathway around the perimeter of the retention pond and providing a picnic area.

Mr. Waller said he is in support of that concept because it would create a different shape to the natural area and would eliminate the proposed walkway from the western-most lot.

Mr. Kramer asked the petitioner to address water issues in relation to the finished grade of the property with the existing grade along the north property line.

Mr. Lamb confirmed there should be no drainage concerns because of the number of catch basins that are being provided.

Mr. Strat questioned if the petitioner has conducted any studies with respect to what might happen to existing trees if the water table is changed.

Mr. Lamb confirmed that he conferred with the City's Landscape Analyst in this respect.

Mr. Strat asked the petitioner if he realized that the probability of future development in the area as relates to the flood plain would not be good.

Mr. Lamb responded that he believes it would be a 50-50 proposition; that the flood plain could be easily diminished and the wetlands area is eligible for re-evaluation in two years.

Chairman Littman asked the petitioner why he decided to come back to the Planning Commission with a new site plan, noting that the previous plan submitted did not include a connection to Tallman and was approved by the City Council. That plan included much discussion at both the Planning Commission and the City Council levels.

Mr. Lamb responded that he was not a part of the discussions for the original plan before the Planning Commission and the City Council. He said that although the thought behind the original approved plan was genuine, the financial considerations of the original plan after engineering review were tremendous. He cited a difference of \$200,000 between the original plan and the plan before the Commission tonight, and also noted that the revised site plan allows for the possibility of future development.

Mr. Wright said that in comparing the original approved plan with the plan before the Commission tonight, it appears the detention basin relocation is not a problem on either plan and that there is the same number of lots along Wattles Road.

Mr. Lamb said that two future lots, at a value of \$100,000 each, were eliminated. He confirmed that the lot count is the same.

Mr. Wright asked the petitioner if it is the \$200,000 improvements along Wattles Road that he would rather avoid making.

Mr. Lamb said they do not want to make the improvements along Wattles Road and that there are other issues with regard to the street layout.

Mr. Wright said he recalled the January meeting at which a lot of abutting residents were adamantly opposed to any additional traffic coming through their subdivision, and that was the primary reason for the Planning Commission to approve the original site plan with the connection to Wattles Road. He voiced concern with those same residents not having ample notice to voice their concerns at tonight's meeting.

Mr. Lamb said that there have been discussions with most of the residents over the past year, and noted that most of the residents have resigned themselves to the fact that there will be a development going in behind their homes. Mr. Lamb said it is poor planning to build a subdivision where parents must drive 1.5 miles to get to a school that is located one quarter of a mile away. He said that parties who buy houses on dead-end streets should realize that the property owner who owns the property at the dead-end street is entitled to have access to the public utilities and public streets. Mr. Lamb said that he believes the proposed development will provide a better community.

Chairman Littman opened the floor for public comment.

Bruce Bloomingdale of 4264 Tallman, Troy, was present. Mr. Bloomingdale stated he just received the notice on the proposed development in today's mail. In that

approximate four-hour time span, Mr. Bloomingdale contacted 13 of his neighbors who expressed that their positions on the proposed development have not changed. Mr. Bloomingdale recalled that several months ago, the Chambers was filled, both at the Planning Commission meeting and the City Council meeting, with neighbors who were present to voice their objections to the proposed development. He said it was unfortunate that the neighbors were not given enough notice tonight to make their presence. Mr. Bloomingdale assured the Commission that the affected neighbors are adamantly and vehemently opposed to the development connecting to Tallman.

Mr. Bloomingdale strongly urged the Commission to take the same position as it previously did and to make a recommendation of denial to the City Council on the basis of connecting the development to Tallman. Mr. Bloomingdale expressed concerns with the wetlands area, increase in traffic congestion, traffic cutting through the subdivision, and emergency vehicle accessibility. Mr. Bloomingdale stated that he is opposed to the developer's and the City's stands on interconnectivity. He said that the residents who live on Leetonia, Randall, Tallman and Longfellow will not support nor endorse connecting the proposed development to Tallman and are totally opposed to interconnectivity. Mr. Bloomingdale thinks that the original compromise to provide access on Wattles Road is the best development plan.

Mr. Storrs asked Mr. Bloomingdale if he would be in favor of the east-west road ending in a cul de sac if it did not connect to Wattles.

Mr. Bloomingdale said that would help, and noted that he has no problem with the development as long as it does not tie into Tallman.

Chairman Littman asked Mr. Bloomingdale if he objects to the connection to Tallman if there is no way to get out to Wattles.

Mr. Bloomingdale said he objects to the development tying into Tallman in any way, shape or form. He said that tying the development into Wattles is the logical and proper way to do it, and said he absolutely objects to connecting the development to both Tallman and Wattles.

The floor was closed.

Mr. Storrs said the Commission struggled a lot with the connection to Tallman and to Wattles. He noted the subdivision has a lot of long straight streets that could become a racetrack, and that was the reason why the Commission did not like the connection to Wattles. Mr. Storrs thinks the revised site plan is a better option if it ended in a cul de sac, or something that does not go out to Wattles. He said it does make the grand shortcut through that square mile.

Mr. Kramer said there are several sides of the argument. Mr. Kramer said he sympathizes with the neighbors' concern of the racetrack traffic, as he can attest to it himself because he used to live in the area. Mr. Kramer noted it would not be favorable to make another curb cut on Wattles Road, which would add to the traffic

backup that already exists, particularly during evening hours. Mr. Kramer feels that the future residents in the subdivision should have the same access to Leonard Elementary School and the open space, as the current subdivision residents. For those reasons, Mr. Kramer does not support a connection to Wattles. He believes the connection to Tallman would be the lesser of two evils.

Mr. Wright said that the Commission previously approved a perfectly good plan and he sees no reason to change it.

Mr. Waller said he supports Mr. Kramer's observations. With respect to tabling the matter, Mr. Waller suggested that the Commission make a recommendation to the City Council this evening to spare the concerned residents having to attend two meetings to voice their opinions.

Mr. Strat asked for the opinion of the Planning Department.

Mr. Miller said that City Management would hold steadfast for interconnectivity in the subdivision unless a clear cut-through is created. He noted the item was discussed at an administrative development committee meeting, and it is the opinion of the Transportation Engineer that the proposed development would not create a direct cut-through. Mr. Miller reported that the Planning Department would prefer a connection to Wattles Road, but if the Commission opts for no connection to Wattles Road, the Planning Department would like to ensure that a pedestrian connection to Wattles Road is provided. Mr. Miller said he likes the petitioner's suggestion for a pathway.

Mr. Strat asked if the Planning Department would support a cul de sac, in lieu of a dead-end street.

Mr. Miller said that the Planning Department would want a cul de sac should future development not go any further to the west.

Resolution # PC-2003-12-064

Moved by: Waller

Seconded by: Schultz

RESOLVED, that the Planning Commission recommends to City Council that the Preliminary Site Plan as requested for Crestwood Site Condominium, including 23 units, located north of Wattles Road and east of Livernois Road, Section 15, within the R-1C zoning district be granted, subject to the following conditions:

1. Detention basin shall be dedicated to the City of Troy for future maintenance. A 12-foot wide paved driveway shall be constructed on this property for the purpose of detention pond maintenance from Wattles Road, to be located along side Wattles Road at the restrictor end of the detention pond.

2. A walkway connection shall be provided to connect Wattles Road and the proposed street, extending along side the north side of the detention pond to the west end of the detention pond as proposed by the applicant.
3. The "open space" shown on the site plan shall be clearly marked as "Limited Common Area – Open Space – Future Site Condominium Development " on all drawings and also all appropriate condominium documents shall reference this same future use.
4. The construction or access road as shown on the drawing shall be removed and the existing crushed gravel driveway further to the east would be the access road as indicated by the applicant.
5. That a temporary cul de sac be constructed at the west end of the street with the understanding that it would be removed if at any time in the future the lot development was extended to the west.

Discussion on the motion on the floor.

Mr. Miller suggested that condition #3 reference the "Limited Common Area" as "Convertible Area".

Mr. Motzny was in agreement because "Convertible Area" is the term used in the Condominium Act.

Mr. Waller moved to amend the motion to reflect the appropriate language as recommended by the City legal representative. Mr. Schultz seconded the motion as amended.

Mr. Schultz requested to include in the motion that it is the Commission's recommendation if the area to the west of the proposed temporary cul de sac is developed in the future, that there shall be no interconnection to Wattles Road from that development.

Mr. Waller agreed to amend the motion as such.

Chairman Littman noted that the petitioner indicated he is not 100% sure that he can place the walkway around the detention basis as indicated in the motion. He asked Mr. Waller if he would like to provide in the motion some flexibility in providing the walkway.

Mr. Waller responded in the negative. Mr. Waller requested that should the petitioner not be able to provide the walkway around the detention basis, that the matter come back to the Planning Commission with a written explanation from City Management or staff as to the reasons why it cannot be provided.

Mr. Storrs noted the motion, as amended, does not say the cul de sac has to remain where it is. If the lots would be developed in the future, the cul de sac could shift west as long as the connection does not go down to Wattles Road. Mr. Storrs is in favor of this addition to the motion.

Mr. Schultz requested that the motion reflect that the site plan shall come back for review by the Planning Commission should there be any substantial change to the site plan.

Mr. Waller agreed to amend the motion as such.

Resolution # PC-2003-12-064 (as amended)

Moved by: Waller

Seconded by: Schultz

RESOLVED, that the Planning Commission recommends to City Council that the Preliminary Site Plan as requested for Crestwood Site Condominium, including 23 units, located north of Wattles Road and east of Livernois Road, Section 15, within the R-1C zoning district be granted, subject to the following conditions:

1. Detention basin shall be dedicated to the City of Troy for future maintenance. A 12-foot wide paved driveway shall be constructed on this property for the purpose of detention pond maintenance from Wattles Road, to be located along side Wattles Road at the restrictor end of the detention pond.
2. A walkway connection shall be provided to connect Wattles Road and the proposed street, extending along side the north side of the detention pond to the west end of the detention pond as proposed by the applicant; and further, should the applicant not be able to provide the walkway as proposed, a written explanation from City Management or staff as to the reasons why it cannot be provided shall be provided to the Planning Commission.
3. The "open space" shown on the site plan shall be clearly marked as "Convertible Area " on all drawings and also all appropriate condominium documents shall reference this same future use.
4. The construction or access road as shown on the drawing shall be removed and the existing crushed gravel driveway further to the east would be the access road as indicated by the applicant.
5. That a temporary cul de sac be constructed at the west end of the street with the understanding that it would be removed if at any time in the future the lot development was extended to the west.
6. That if the area to the west of the proposed temporary cul de sac is developed in the future, there shall be no interconnection to Wattles Road from that development.

7. That should there be any substantial change to the site plan, the site plan shall come back before the Planning Commission for review and approval.

Vote on the motion as amended.

Yes: Kramer, Schultz, Storrs, Strat, Vleck, Waller
No: Littman, Wright
Absent: Chamberlain

MOTION CARRIED

Mr. Wright said the City had a perfectly good plan in place, and he has not heard satisfactory justification in changing the plan. He noted the prime discussion at earlier meetings was the length of the straight street runs that would create an easy cut-through in the subdivision.

Chairman Littman voted against the site plan for the same reasons. He noted the Commission listened to the residents' concerns, and the Commission and the elected officials on the City Council thought the original plan was a great plan. He thinks the original plan should be kept in place.

SITE PLAN

5. SITE PLAN REVIEW (SP 216-B) – Proposed Fleming's Steakhouse & Wine Bar, South side of Big Beaver, West of Coolidge (3001 W. Big Beaver), Section 30 – O-S-C

Mr. Savidant presented a summary of the Planning Department report for the proposed Fleming's Steakhouse & Wine Bar. Material and building samples were circulated. Mr. Savidant reported in detail the parking situation and noted the applicant is willing to go before the City Council for a variance in the number of parking spaces. Mr. Savidant reported that it is the recommendation of the Planning Department to approve the site plan as submitted, with the condition that the applicant receives a variance from the Troy City Council to reduce the number of parking spaces provided on site when the parking lot is redesigned to accommodate 9.5-foot wide spaces.

The width of the parking spaces and discrepancy in the count of the parking spaces were discussed at length. Topics discussed were: (1) the existing underground parking area; (2) the timeframe and agreement to re-stripe the parking lot to meet City ordinance; (3) the differentiation in parking space widths between parking decks and surface parking; (4) the reason for the parking space width differentiation; (5) review of the City ordinance with respect to parking space width and in relation to the purpose of the user.

Mr. Miller provided clarification on the location of the required 8-foot sidewalk.

Mr. Schultz said he thinks it's a great project.

Mr. Strat concurred.

Mr. Waller said he is confident that the negotiations reached between the petitioner and staff with respect to sealing, asphaltting and re-stripping the parking lot are reasonable.

The petitioner, Larry Nemer of 26877 Northwestern Highway, Suite 101, Southfield, was present. Mr. Nemer introduced Ken Neumann, Project Architect, Tim Gavigan, representative of Fleming's Steakhouse & Wine Bar, and Robert Carter, representative from Fleming's architectural group. Mr. Nemer addressed the parking matter, and assured the Commission that the parking lots would be appropriately re-stripped to accommodate the required 9.5-foot width in the next two summers. He indicated that the Planning Department informed him that the option of utilizing the City's new shared parking ordinance may be an alternative solution to the parking matter. Mr. Nemer stated that the office complex has an abundance of parking because it started with the highest parking requirement at its onset. Mr. Nemer noted that Fleming's Steakhouse would be a valuable amenity to their complex in attracting new tenants and keeping existing tenants and would bring much needed life to the corner of Big Beaver and Coolidge. Mr. Nemer stated that improvements to the east side of the complex were made; i.e., upgrade of the entrance, additional landscaping around the building and berm. Mr. Nemer said it was of utmost importance to them to have the new restaurant look as much a part of the original design as it could, and he is very happy with the end product.

Mr. Neumann of Neumann Smith & Associates, 400 Galleria, Southfield, gave a brief presentation. A color rendering was displayed. Mr. Neumann said the darker brick is from the original manufacturer, and the lighter brick is of a slight variation and a different color on purpose to give the building some variety. He indicated that negotiations were made to keep the identity, spirit and character of Fleming's Steakhouse and to create a building that is compatible with the existing building. The same glass and window frames of the existing building are proposed for the restaurant, and the majority of the restaurant building has the same color of brick as the existing building. Mr. Neumann said a champagne color that is harmonious with the bricks is proposed to replace the existing orange color metal.

Mr. Kramer said the proposed restaurant is a beautiful project for the City of Troy. He asked the petitioner if glass is still being stored on the west side of the building.

Mr. Nemer responded in the negative.

Mr. Strat commended Mr. Neumann on his presentation. He said that this is the way he would like to see presentations made for site plan approval. Mr. Strat cited that Mr. Neumann, an outstanding architect, has won several national and local

awards. Mr. Strat said he respects the architect's opinion as relates to the material selection.

Chairman Littman said that he has worked with Mr. Neumann on two buildings he was in charge of getting built.

Resolution # PC-2003-12-065

Moved by: Storrs

Seconded by: Strat

RESOLVED, that pursuant to Section 26.25.01, the site plan provides a logical extension of the floor plan of the principal structure, and utilizes exterior materials similar to or harmonious with the principal structure;

BE IT FURTHER RESOLVED, that Preliminary Site Plan Approval, as requested for Fleming's Steakhouse & Wine Bar, located on the south side of Big Beaver and west of Coolidge, located in section 30, within the O-S-C zoning district, is hereby granted, subject to the following conditions:

1. The applicant shall seek and receive a variance from the City Council for the number of parking spaces that the applicant may be deficient after re-striping the development parking lot to 9.5-foot parking spaces, or come back to the Planning Commission for consideration of shared parking.
2. The City of Troy is responsible for the replacement of the trees along Big Beaver Road that were removed during the road-widening project.

Yes: All present (8)

No: None

Absent: Chamberlain

MOTION CARRIED

ZONING ORDINANCE TEXT AMENDMENT

6. PUBLIC HEARING – ZONING ORDINANCE TEXT AMENDMENT (ZOTA 203) – Article 02.00.00 – Changes, Amendments and Approvals, edit text to replace Chapter 40 of the City Code (to be repealed) and include language regarding Voting Requirements

Mr. Miller reviewed the proposed text amendment that would list the Planning Commission powers and duties and voting requirements in the City of Troy Zoning Ordinance.

PUBLIC HEARING OPENED

No one was present to speak.

PUBLIC HEARING CLOSED**Resolution # PC-2003-12-066**

Moved by: Wright

Seconded by: Storrs

RESOLVED, that the Planning Commission hereby recommends to the City Council that ARTICLE II (CHANGES, AMENDMENTS AND APPROVALS) of the Zoning Ordinance, be amended as printed on the Planning Commission recommended amendment, dated 12/04/03.

Yes: Kramer, Littman, Schultz, Storrs, Vleck, Waller, Wright

No: Strat

Absent: Chamberlain

MOTION CARRIED

Mr. Strat said he would have preferred more time to review the matter.

Mr. Schultz said that Section 01.10.04 (FINANCES) may have to be addressed in the future based on the Planning Commission budgetary process that was discussed at the recent joint meeting with the City Council and City Management.

Mr. Strat agreed that his primary concern with the text amendment was Section 01.10.04 (FINANCES).

GOOD OF THE ORDER

Mr. Savidant circulated two gateway concept designs that were created by the Parks & Recreation Department. Mr. Savidant said he is not sure what the timeline is to present the concept designs to the City Council.

Mr. Vleck commented that the designs created by Parks & Recreation are a great improvement.

Messrs. Wright and Waller agreed and specified their choices.

Chairman Littman said it has been requested that Mr. Kramer represent the Planning Commission at the December 15, 2003 City Council Meeting for the agenda item relating to the proposed zoning ordinance text amendment for radio antenna height limits.

Mr. Kramer said that if that is the purview of the Planning Commission and if the Planning Commission still feels the same about the recommendation, he would be available to attend the December 15th City Council meeting.

Resolution # PC-2003-12-067

Moved by: Wright

Seconded by: Storrs

RESOLVED, that Dennis Kramer attend the December 15, 2003 City Council Meeting to represent the Planning Commission with respect to its recommendation on the proposed zoning ordinance text amendment for radio antenna height limits.

Yes: Kramer, Littman, Schultz, Storrs, Strat, Waller, Wright

No: Vleck

Absent: Chamberlain

MOTION CARRIED

Chairman Littman questioned the difference in the site plan approval process related to harmonious external building materials for the proposed Fleming's Steakhouse and Maggiano's Restaurant.

Mr. Miller said the building owner for the proposed Fleming's Steakhouse worked with the architect in full knowledge of the type of restaurant proposed. The building owner of Maggiano's Restaurant had a franchise restaurant lined up at the very beginning and the corporate architects became involved at the beginning of the site plan process.

Mr. Strat further explained that the external building materials were of a different type.

Mr. Schultz reiterated that the Planning Commission and the City Council should review the requirement for 9.5-foot wide surface parking spaces in the City of Troy.

Mr. Miller welcomed Mr. Motzny to his first Regular Meeting. With respect to the proposed gateway signage, Mr. Miller explained that City Management plans to submit all the design concepts (i.e., old designs on file, Burton/Katzman designs, and in-house designs) and the option to hire a design firm, tentatively to City Council.

Mr. Miller wished everyone a happy holiday and said he would see everyone next year.

Mr. Motzny wished everyone a happy holiday.

Chairman Littman wished all a happy holiday and a happy new year.

ADJOURN

The Regular Meeting of the Planning Commission was adjourned at 9:28 p.m.

Respectfully submitted,

Lawrence Littman, Chairman

Kathy L. Czarnecki, Recording Secretary

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A meeting of the Employees' Retirement System Board of Trustees was held on Wednesday, December 10, 2003, at Troy City Hall, 500 W. Big Beaver Rd., Troy, MI. The meeting was called to order at 3:00 p.m.

TRUSTEES PRESENT: Mark Calice
Charles Campbell
Robert Crawford
Thomas Houghton, Chair
John M. Lamerato
John Szerlag (Departed 3:45 pm)

TRUSTEES ABSENT: David A. Lambert

ALSO PRESENT: Laura Fitzpatrick

EXCUSE ABSENT MEMBERS

Resolution # ER – 2003 – 12 - 044

Moved by Szerlag

Seconded by Houghton

RESOLVED, That David A. Lambert be excused.

Yeas: All 6

Absent: Lambert

MINUTES

Resolution # ER – 2003 – 12 - 045

Moved by Szerlag

Seconded by Campbell

RESOLVED, That the minutes of the November 12, 2003 meeting be approved.

Yeas: All 6

Absent: Lambert

RETIREMENT REQUEST***Resolution # ER – 2003 – 12- 046***

Moved by Houghton
Seconded by Campbell

RESOLVED, That the following retirement requests be approved:

Gregory C. Wieg, DB, 1/21/04, 25 years, 1 month
Susan M. Ellis, DB, 2/11/04, 25 years
Anthony P. Aguinaga, DB, 1/31/04, 13 years, 4 months
Nancy L. Aguinaga, DB, 1/31/04, 27 years, 10 months
Paul L. Lucas, DB 1/22/04, 25 years, 1 month

Yeas: All 6
Absent: Lambert

RESOLUTION # ER – 2003 – 047

Moved by Crawford
Seconded by Calice

RESOLVED, That the retirement request of Nancy Paulus, DB, 1/16/04, 18 years be approved.

Yeas: All 6
Absent: Lambert

RESOLUTION # ER – 2003 – 048

Moved by Lamerato
Seconded by Calice

RESOLVED, That the non-duty disability retirement request of Nancy J. Tamachaski, DB, 12/11/03, 12 years, 10 months be approved.

Yeas: All 6
Absent: Lambert

OTHER BUSINESS- PRIOR GOVERNMENTAL RETIREMENT SERVICE

The Board received and filed a listing of employees qualifying for prior governmental services, which will be attached to the original minutes of this meeting.

OTHER BUSINESS – OPTION AUTHORITY***Resolution # ER – 2003 - 12- 049***

Moved by Crawford
Seconded by Szerlag

RESOLVED, That if an option position has not been established by December 31, 2004, the authorization for that position will expire.

Yeas: All 6
Absent: Lambert

INVESTMENTS***Resolution # ER – 2003 - 12- 050***

Moved by Campbell

Seconded by Crawford

RESOLVED, That the following investments be purchased: Purchase \$500,000 Intl Lease Fin. 4.75% due 12/15/11.

Yeas: All 5

Absent: Lambert, Szerlag


The next meeting is January 14, 2004 at 3:00 p.m. at City Hall, 500 W Big Beaver, Troy, MI.

The meeting adjourned at 4:04 p.m.

JML/bt\Retirement Board\2003\12-10-03 Minutes_Draft.doc

December 5, 2003

TO: The Employee Retirement System Board of Trustees

FROM: Laura Fitzpatrick, Assistant to the City Manager 

SUBJECT: Prior Government Service Credit for Eligibility

Here is a list of employees eligible for prior government service credits. Note this impacts only eligibility to retire from the City of Troy. Pension calculations and health care coverage is based on Troy service only.

| Last Name | First Name | # Years | # Months | Troy Full- Time Start Date |
|--|----------------|----------------------------|-------------|-------------------------------|
| *Anderson Rochester-Avon Recreation Authority | Carol | 5 | 4 | 6/89 |
| Russ White Lake Twp | Charles | 2 | 7 | 3/27/81 |
| Barnes Berrien County, MI | Charles | 5 | 9 | 7/7/81 |
| Daniel Bloomfield Twp Oakland County | Dan | 3 9 <i>Total:</i> 12 | 5 3 8 | 1/21/91 |
| Kocenda Grosse Pointe Woods Beverly Hills | David | 1 2 <i>Total:</i> 3 | 6 2 8 | 8/97 |
| Phillips Independence Twp | Don | 6 | 4 | 5/4/94 |

*re-submittal - previous submittal
had one extra month

LIBRARY BOARD MINUTES - DRAFT

DECEMBER 11, 2003

A Regular Meeting of the Troy Library Board was held Thursday, December 11, 2003 at the Office of the Library Director. Joanne Allen, Chairman, called the meeting to order at 7:30 P.M.

ROLL CALL

PRESENT: Joanne Allen
 Brian Griffen
 Nancy Wheeler
 Audre Zembrzuski
 Steve Zhang, Student Rep.
 Brian Stoutenburg, Library Director

The Pledge of Allegiance to the Flag was given.

Resolution #LB-2003-12-001

Moved by Zembrzuski

Seconded by Griffen

RESOLVED, That Lynne Gregory's absence be excused

Yes: 4—Allen, Griffen, Wheeler, Zembrzuski

No: 0

MOTION CARRIED**Resolution #LB-2003-12-002**

Moved by Wheeler

Seconded by Griffen

RESOLVED, That the Minutes of November 13, 2003 be approved as amended

Yes: 4—Allen, Griffen, Wheeler, Zembrzuski

No: 0

MOTION CARRIED

Reviewed Agenda entries

Resolution #LB-2003-12-003

Moved by Wheeler

Seconded by Zembrzuski

RESOLVED, That the Agenda be approved

Yes: 4—Allen, Griffen, Wheeler, Zembrzuski

No: 0

MOTION CARRIED

REGULAR BUSINESS

Resolution #LB-2003-12-004

Moved by Griffen

Seconded by Zembrzuski

RESOLVED, That the 2004 Board Meeting Dates be approved

Yes: 4—Allen, Griffen, Wheeler, Zembrzuski

No: 0

MOTION CARRIED

REPORTS & COMMUNICATIONS

Director's report.

Approval to upholster 272 chairs and 9 stools will be requested of City Council at their next meeting. The low bidder was Michigan State Industries at a cost of \$30,803.50. We have filled the 6 vacancies at the Circulation Department and when they get trained we will be doing a pilot program of checking out materials from the Youth Library around the Story Program times to see if it reduces the congestion in the lobby.

Board Member comments.

- Griffen asked about the different color of library cards currently being used and what their difference was. We will have two colors until we have updated everyone's to the newer blue color.
- Zembrzuski related an instance of a Troy resident's account being brought up on the computer as a sister-in-law's with the exact same name who resides in Frasier. This is why it is important to check out items using one's library card. The account is tied directly to the unique bar code on the card. This particular patron may have simply given her name to bring up her account.
- Griffen asked about the percentage of non-residents who use our library. Approximately 15% of registered borrowers do not reside in Troy. Some of these non-residents work in Troy. As to the number of non-residents who enter the library, we haven't tracked that. We would have to check residency of each person entering the library.
- Griffen asked that Board Members be kept abreast of issues involving the library. He cited the newspaper article about Bloomfield Hills resident's use of our library being published prior to being notified of this. The circumstances surrounding this issue were reported, and that an effort to inform them of issues prior to newspaper articles will be made in the future.
- Griffen made comments on two personnel issues that he was made aware of.
- Zembrzuski commented that her daughter's artwork had been exhibited at the library and as a result she sold several of her works. She commented on the value of such exhibits to both the library and the artist.
- Wheeler asked about the issue of the display methods of the Friend's Gift Shop. It was decided to draft three ideas for the Friend's to consider regarding the showcases.
- Allen asked about the newspaper coverage of the Bloomfield Township/Bloomfield

Hills contract issue. Our position in this was to remain neutral. Our non-resident card procedure has been in place for many years.

- Wheeler commented on a patron stating to her that our staff was very helpful and nice.
- Wheeler suggested that shelves be put in the public bathrooms so that patrons could place their items while using the facilities.
- Griffen suggested, and the Board agreed that the statistical reports and the Staff Changes report be given to the Board on a quarterly basis.

Friends of the Library.

There was no report.

Monthly Reports (November). Circulation for the month of November compared with the same time period a year ago showed an increase of 9.8%. There was a decrease for the month in Patron visits by 4.3%. Program attendance was up 23.2% for the month. The number of library programs offered was up 1.9% for the month.

Staff Changes.

Resignation: Mary Newton, Substitute Librarian.

Gifts.

No gifts were received

Informational Items.

December TPL Calendar

Contacts and Correspondence.

15 written comments from the public were reviewed.

Public Participation. There was no public participation.

The Library Board meeting adjourned at 9:00 P.M.

Joanne Allen
Chair

Brian Stoutenburg
Recording Secretary

December 22, 2003

TO: Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Gary A. Shripka, Assistant City Manager/Services
Mark F. Miller, Planning Director

SUBJECT: ANNOUNCEMENT OF PUBLIC HEARING (JANUARY 26, 2004) -
REZONING APPLICATION (Z 597) –South side of Long Lake Road, West of
Rochester Road, Section 15 – R-1T to B-2

RECOMMENDATION

The rezoning request is inconsistent with the Future Land Use Plan, which classifies the property as Medium Density Residential.

The current R-1T One Family Attached zoning district serves as a transition zone between the existing office and business zoning districts and the CR-1 One Family Cluster and R-1C One Family Residential located to the north and west. Elimination of the R-1T zoning district transition area would negatively impact the adjacent one residential neighborhood. The rezoning application is therefore incompatible with adjacent land uses and zoning districts.

The Planning Commission recommended denial of the rezoning request at the November 11, 2003 Public Hearing. City Management concurs with the Planning Commission's recommendation of denial of the B-2 rezoning request.

GENERAL INFORMATION

Name of Owner / Applicant:

The owner of the property is Good Development Company, LLC.

The applicant is Long Lake Development Partners, LLC.

Location of Subject Property:

The property is located on the south side of Long Lake Road, west of Rochester Road, in Section 15.

Size of Subject Parcel:

The subject rezoning request is approximately 14.5 acres in area. This request is part of a parcel of property that is already zoned B-2. If this rezoning is approved, the entire parcel that will be zoned B-2 is approximately 16.6 acres in area.

Current Use of Subject Property:

The property is currently vacant.

Current Zoning Classification:
R-1T One Family Attached.

Proposed Zoning of Subject Parcel:
B-2 Community Business.

Proposed Uses and Buildings on Subject Parcel:

The applicant is proposing to construct three retail buildings on the property: Retail 'A' is 136,433 square feet, Retail 'B' is 18,805 square feet, and Retail 'C' is 3,963 square feet. Total proposed commercial square footage is 159,201 square feet.

Current Use of Adjacent Parcels:

North: Child care center and one family residential.

South: Versa-Tube industrial building.

East: Commercial and office uses.

West: One family residential.

Zoning Classification of Adjacent Parcels:

North: R-1C One Family Residential.

South: M-1 Light Industrial.

East: O-1 Office Building and B-2 Community Business.

West: CR-1 One Family Residential Cluster and R-1C One Family Residential.

ANALYSIS

Range of Uses Permitted in Proposed Zoning District and Potential Build-out Scenario:

PRINCIPAL USES PERMITTED:

Any retail business or service establishment permitted in B-1 Districts as Principal Uses Permitted and Uses Permitted Subject to Special Conditions.

All retail business, service establishments, or processing uses as follows:

Any retail business whose principal activity is the sale of merchandise in an enclosed building, except for those limited to or first permitted in the B-3 General Business District.

Any service establishment of a showroom or workshop nature, of an electrician, decorator, dressmaker, tailor, baker, painter, upholsterer; or an establishment doing radio or home appliance repair, photographic studios and reproduction and similar service establishments that require a retail adjunct.

Business establishments which perform services on the premises, such as but not limited to: banks, credit unions, savings and loan associations, loan companies, insurance offices, travel services, and real estate offices.

Private clubs, fraternal organization, and lodge halls.

Restaurants, or other places serving food or beverage, except those having the character of a drive-in or open front store.

Theaters, assembly halls, concert halls or similar places of assembly, when conducted completely within enclosed buildings.

Business schools and colleges or private schools operated for profit, not including nursery schools.

Other uses similar to the above uses.

Accessory structures and uses customarily incident to the above permitted uses.

USES PERMITTED SUBJECT TO SPECIAL CONDITIONS:

Drive-up windows or service facilities, as accessory to principal uses within B-2 districts, apart from restaurants.

Outside seating areas, of twenty (20) seats or less, for restaurants or other food service establishments.

USES PERMITTED SUBJECT TO SPECIAL USE APPROVAL

Drive-up windows or service facilities, as an accessory to restaurants permitted within this district.

Bowling alley, billiard hall, indoor archery range, indoor skating, rinks, indoor tennis courts, athletic or health clubs, or similar forms of indoor commercial recreation, when the subject uses are located at least 100 feet from any Residential District.

Open air business uses when developed as uses subordinate to primary uses and structures within the B-2 District.

Outside seating areas, in excess of twenty (20) seats, for restaurants, or other food service establishments.

Facilities within a retail establishment for installation, in vehicles, of items sold at retail at that location.

Vehicular access:

Vehicular access will be provided to the parcel from both Long Lake Road and Rochester Road.

Potential Stormwater and Utility Issues:

The applicant will be required to adequately dispose of storm water on the property.

Natural Features and Floodplains:

The Natural Features Map indicates there are no significant natural features located on the property.

The application indicates that there are “problematic fill soils” on the property.

Compliance with Future Land Use Plan:

The property is classified as Medium Density Residential on the Future Land Use Plan. The Medium Density Residential Classification correlates with the R-1T, R-2, R-M and R-EC zoning districts. The B-2 request is not in consistent with the Future Land Use Plan.

Attachments:

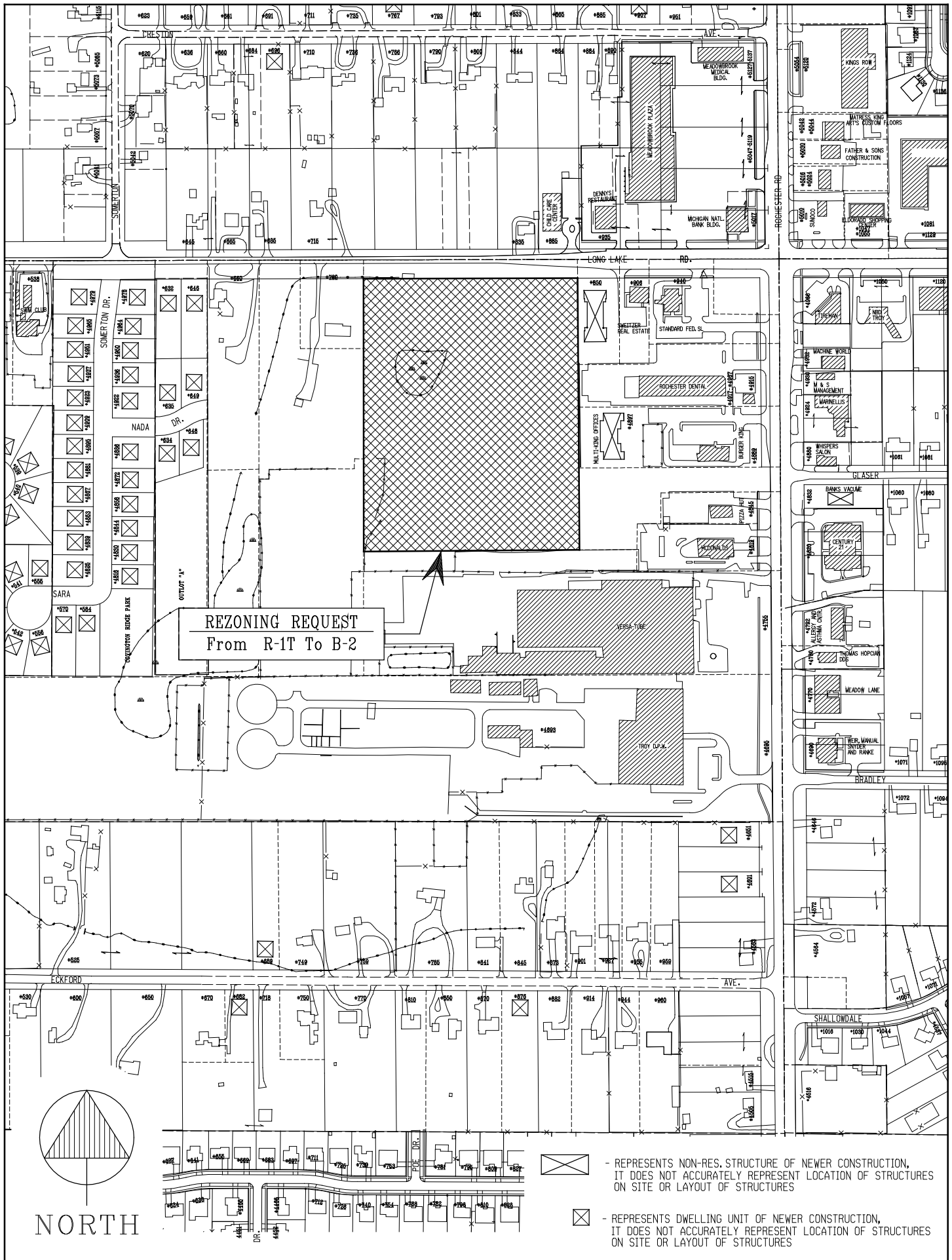
1. Maps (location (2), zoning, aerial, Future Land Use Plan)
2. Planning Commission minutes, November 11, 2003
3. Public comment

cc: Robert Roth, Applicant
Jill Bankey, Attorney
File (Z-#597)

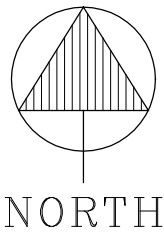
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

CITY OF TROY

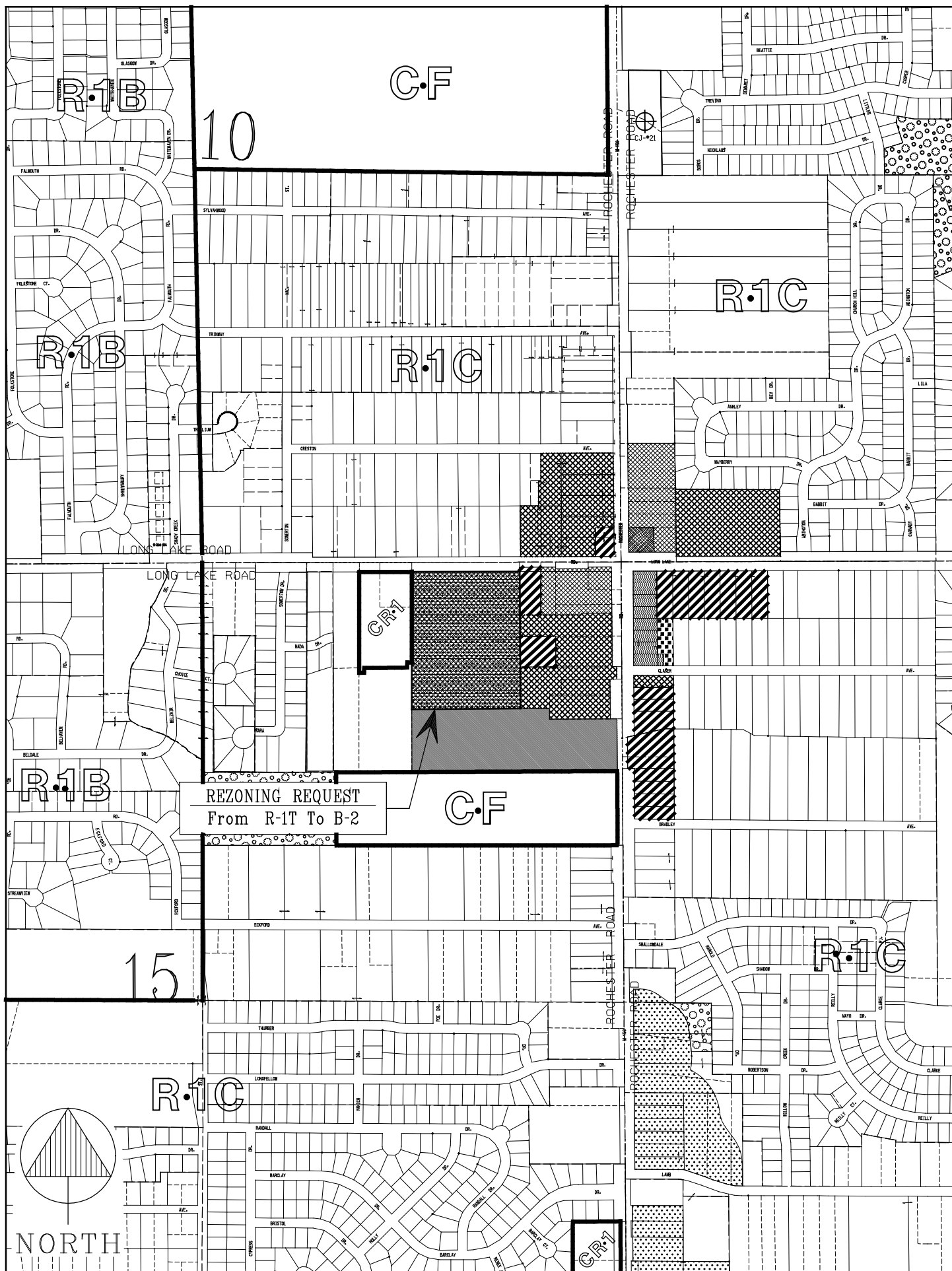


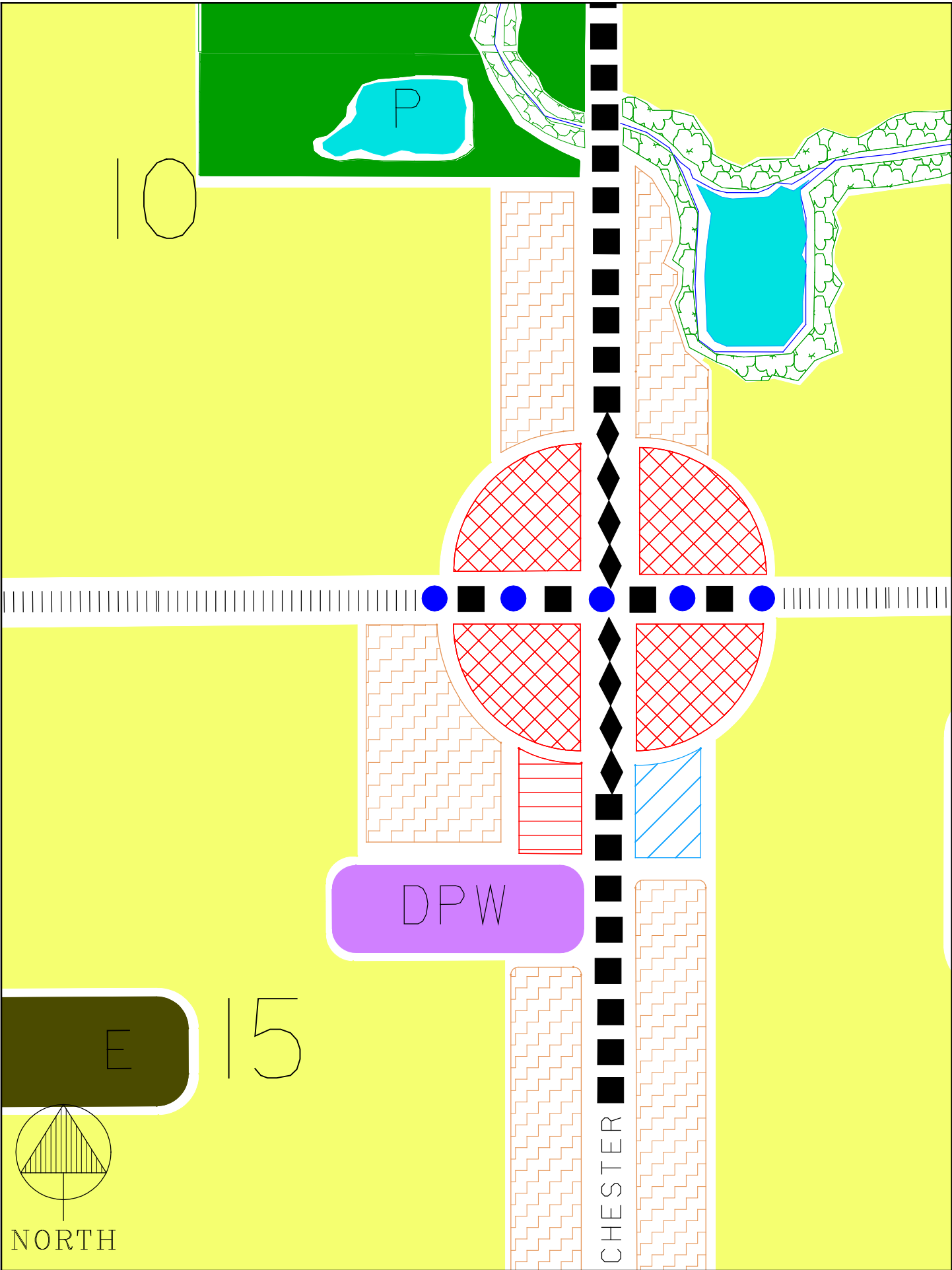


REZONING REQUEST
From R-1T To B-2



-  - REPRESENTS NON-RES. STRUCTURE OF NEWER CONSTRUCTION, IT DOES NOT ACCURATELY REPRESENT LOCATION OF STRUCTURES ON SITE OR LAYOUT OF STRUCTURES
-  - REPRESENTS DWELLING UNIT OF NEWER CONSTRUCTION, IT DOES NOT ACCURATELY REPRESENT LOCATION OF STRUCTURES ON SITE OR LAYOUT OF STRUCTURES





REZONING REQUEST
PROP. LONG LAKE RETAIL DEVEL.
FORM R-1T TO B-2
SEC. 15 (Z-597 C)



REZONING REQUEST
FROM R-1T TO B-2

4. PUBLIC HEARING - PROPOSED REZONING (Z-597 D) – Proposed Retail Development, South side of Long Lake, West of Rochester Road, Section 15 – R-1T to B-2

Mr. Savidant presented a summary of the Planning Department report for the proposed rezoning request for retail development. Mr. Savidant reported that it is the recommendation of the Planning Department to deny the rezoning request because it is inconsistent with the Future Land Use Plan and is incompatible with adjacent land uses and zoning districts. Mr. Savidant noted that the Planning Department has received numerous phone calls and inquiries regarding the rezoning application and is in receipt of a number of e-mail messages and letters voicing opposition to the rezoning request.

Mr. Waller asked if the Planning Department received any additional information relating to the problematic nature of the property for residential purposes.

Mr. Savidant responded in the negative.

Jill Bankey, Attorney, was present to represent the petitioner. Ms. Bankey introduced Robert Roth of Long Lake Development Partners, LLC, and Ralph Nunez of Design Team Limited. She presented a brief background and history of the property.

Ralph Nunez of Design Team Limited, 17255 W. Ten Mile Road, Southfield, gave a synopsis of his professional background. Mr. Nunez gave a very thorough and impressive presentation on the proposed development; i.e., dynamics and planning aspects of the proposed development, current uses, transition to residential, traffic study, traffic access points, master land use plan, stormwater on site, and improvements to existing characteristics of the site.

Mr. Miller noted to the petitioner that the City has updated the Master Land Use Plan and zoning map. Mr. Nunez noted the changes as stated by Mr. Miller.

Mr. Storrs indicated to the petitioner that he was personally aware of residents coming forward and requesting additional condominiums in Troy so that empty nesters could remain in Troy close to family and not have to be burdened with external maintenance. He then asked the petitioner what rationale he had that said the area needed additional B-2 zoning.

The petitioner did not have a response.

Mr. Kramer commended the presentation of Mr. Nunez. He asked the petitioner to address justification for additional B-2 zoning in the City, the feasibility and/or unfeasibility of residential development on the property, and the specifics in the transitional zoning. Mr. Kramer also asked if consideration was given to the adjacent parcel as part of the proposed rezoning.

Mr. Nunez responded there was discussion with the owner of the adjacent parcel to the southwest with respect to attached residential zoning. He stated that the petitioner does not have control of the residential property to the north. Mr. Nunez stated that the petitioner is considering a big box retail development should the proposed rezoning be approved.

Mr. Strat also commended the presentation of Mr. Nunez and requested a copy of the soils report with reference to the former property owner's proposed residential development.

Copies of the soils report were circulated to the Commission.

Mr. Nunez said it is his belief that the soils report was a tool utilized by the former property owner to withdraw from the purchase agreement.

Mr. Miller reported that Mr. Roth met with the Real Estate and Development Director to discuss development plans, and noted that a Planned Unit Development option was discussed. Mr. Miller said there could be potential for a Brownfield redevelopment project at this location, but at this time it is not known if it would be advantageous.

PUBLIC HEARING OPENED

Linda Thielfeldt of 646 Long Lake Road, Troy, was present. She noted that the petitioner did not address the zoning to the north and the single family residential to the west, currently under construction by Harrington Development Company. Ms. Thielfeldt stated that the soils contamination matter discussed tonight is not as big of an issue as it may appear. Ms. Thielfeldt said that the Master Plan Land Use, as well as the neighborhood surroundings, does not support the proposed rezoning. She noted that three retail developments within the area are currently experiencing vacancies, and questioned the need for further commercial vacancies and potential blight from a big box retailer. Ms. Thielfeldt voiced concerns with increased traffic and congestion, increased noise and light pollution, potential flooding and the home values of the affected residents. She shared the Governor's Cool Cities program promoting the initiative to make cities more attractive. Ms. Thielfeldt referenced a problematic site in Birmingham (south of 15 mile, east of Eton) that, through creative planning and zoning, was developed as a residential and business development in a village type of setting. Ms. Thielfeldt asked the Commission's recommendation to City Council for the proposed rezoning be one of denial now and in the future.

Sahar Fakhouri was present on behalf of the builder who owns the property adjacent to the west of the proposed rezoning. Ms. Fakhouri voiced strong opposition to the proposed rezoning for multiple reasons; one of much importance being that the property recently acquired from Choice Development was acquired with the understanding that it is adjacent to a residential

development. Ms. Fakhouri said the rezoning would be a major detriment to their development and a major economic loss to the company. Ms. Fakhouri reported that results of soils boring tests conducted for their development were negative. She further expressed a major concern with lights. Ms. Fakhouri noted that they tried twice, to no avail, to make contact with the owner of the adjacent property.

Mr. Kramer questioned the setbacks for the property to the east.

Mr. Miller responded that it is approximately 100 feet from the residents because there is a single loaded road on the west side.

Michael Chaffee of 5064 Shrewsbury, Troy, was present. Mr. Chaffee said that living next door to a B-2 zoning district is not a buffer, but an area from which one wants to be buffered. Mr. Chaffee believes that residential development could be achieved at the subject site.

PUBLIC HEARING CLOSED

Mr. Strat commented that after briefly looking at the soils test, it appears that approximately 6 feet of topsoil has been placed above the existing grade.

Mr. Vleck said he would be more in favor of a Planned Unit Development project on this site, and noted his concerns with the transitional buffer zones.

Resolution # PC-2003-11-051

Moved by: Vleck

Seconded by: Strat

RESOLVED, that the Planning Commission hereby recommends denial to the City Council for the rezoning request from the R-1T to B-2 (Z-597) for the property located on the south side of Long Lake Road and west of Rochester Road within Section 15, being 14.5 acres in size, for the following reasons:

1. The rezoning request is inconsistent with the Future Land Use Plan, which classifies the property as Medium Density Residential.
2. The existing R-1T One Family Attached zoning district serves as a transition zone between the existing B-2 Community Business zoning district and the existing CR-1 One Family Cluster and R-1C One Family Residential zoning districts located to the north and west of the subject property. Further, the elimination of the R-1T transition would negatively impact the adjacent residential neighborhoods. The rezoning application is therefore incompatible with adjacent land uses and zoning districts.
3. The petitioner could explore other multiple uses or buffer zone options.

Yes: Kramer, Littman, Schultz, Storrs, Strat, Vleck
No: Waller
Absent: Chamberlain, Wright

MOTION CARRIED

Mr. Waller said he agrees that the subject property could be used for other potential aspects. He noted the Commission was deficient of any testimony for the subject site to be developed as a PUD or other multiple zoning uses, and that the plan before the Commission tonight could be a reasonable use for the site.

Paula P Bratto

From: SAMMANCUSO@aol.com
Sent: Saturday, October 25, 2003 7:24 PM
To: planning@ci.troy.im.us
Subject: T2N,R11E,NE 1/4 of Section 15 proposed re-zoning from R-1T to B-2

Troy Planning Department:

I received the notification of the proposed rezoning of T2N, R11E, NE 1/4 Section of 15 from R-1T to B-2 and feel compelled to ask that you **do not** support this rezoning. One only has to open their eyes and look around our wonderful community of Troy, and I firmly believe that they will realize that we are on the verge of having **much too much commercial/business property development**.

Just observe what is very evident. We have a great deal of traffic. We have poor performing commercial/business space particularly at that four corner area of Rochester Road and Long Lake. What our community could use more of is residential housing whether it be freestanding single family or attached such as townhomes. Demand will be strong due to Troy's central location, good schools, ethnic/racial/religious diversity, and still good - but please be reminded fragile quality of life. Plus, let's consider that quality of life. Do we want more traffic, more potentially underperforming commercial/business space that then becomes vacant and rundown. Our community runs the risk of becoming a pass through destination for more than the numbers that reside here. That, to me, goes beyond threatening the type of community Troy has been, is, and I hope leaders of our community envision it to be.

There is plenty of property in this greater Troy area (including the city of Detroit) that needs to be developed for commercial/business purposes. Our **community - vs. business destination** will be better served with residential housing. Not only will the market reward the developer of such, but all of us will benefit from the enhanced beautification to our community that can result. We have enough B-2. Please don't change the zoning. There is no community serving compelling reason to do so. We already have: two major malls, a hospital, various other professional space, various other commercial and business space, manufacturing, warehousing, service stations, restaurants (upscale, casual dining, fast food), strip malls, etc.. I dare say that there are few other towns, villages, cities etc. that can boast the kind of diverse/balanced property use that Troy can. We have more than enough diversity to serve the needs of our residents and those of surrounding communities. Please resist the selfish initiatives and goals of those attempting to change it. Afterall, did they not know what the zoning was when they acquired the property? Did they just figure they could have it changed just because it served them? I hope not. If they don't like what they have, suggest to them that they sell it.

Just one man's viewpoint and I hope you hear from many others with the same.

Thanks for listening.
Sam Mancuso

12/22/03

October 29, 2003

City of Troy
ATTN: PLANNING DEPT.
500 W. Big Beaver Road
Troy, MI 48084

REC'D

OCT 31 2003

PLANNING DEPT.

File

Dear Planning Dept:

I recently received a re-zoning notice for property located at Long Lake and Rochester Roads which has prompted me to write this long overdue letter to your department, the Mayor's office and the local newspapers.

It was with great sadness that I noticed a sign beside the beautiful old building that houses the Troy Boys & Girls Club and it would soon be replaced by another strip mall. Just what this city needs. When my family moved here in 1984 Troy was a wonderful mix of affordable homes for young families, small farms and many wooded areas. We could see horses grazing in several backyards and walk to the end of our street in the summer and buy fresh fruit and vegetables. Now there is nothing left of the character that attracted us to Troy and barely any property that doesn't have an office building or a house on it. Some of the streets where houses or condos have gone up are not even neighborhoods, just a single street. I have heard many people say that Troy must be known to outsiders as the town with a drug store on every corner and I think that is very sad.

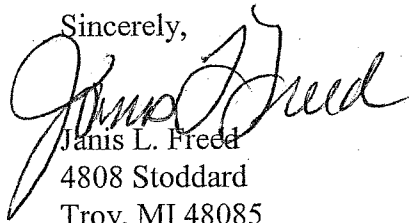
That our city could let such a historic and beautiful building be torn down to accommodate another unneeded strip mall is unconscionable! This was one of the first school buildings and it would seem Troy would make every effort either to help the Boys & Girls Club to expand at that site or to pursue some other use for the great old building to keep it as part of this town. It is really unfortunate that Troy has not adopted a policy similar to many of the surrounding upscale communities which requires a high percentage occupancy of both strip malls and office buildings before another permit can be issued. A simple drive up Big Beaver reveals that almost every building has a "Space for Lease" sign and the same is true of the majority of this City's small strip malls. The perfect example is the very intersection the rezoning is near, where the space housing what was once Farmer Jack and Rite Aid stores has been vacant for years and there is an office building just east of Rochester on Long Lake that has never been occupied. It is a shame that one more tree should come down under these circumstances and this City should be ashamed of the fact that we have building something on almost every piece of available property in town. It does not say much for how Troy views the quality of living of its residents when it does nothing to preserve open, wooded and undeveloped properties for the enjoyment of its citizens. I am fortunate to live near the woods adjacent to Larson Middle School and I pray that whoever owns this property allows it to remain a place for my family to enjoy rabbits, an occasional deer, the two herons that live here, the muskrats in the creek and the hawk who delights us as it flies overhead. While I would hate to leave our home of almost 20 years, if my woods were to go the way of all the other open spaces around town, I would definitely move to a community that valued its citizens quality of life as much as its tax base.

City of Troy
October 29, 2003
Page 2

I hope that the Planning Department will take a good long look at the wisdom of tearing down one the City's oldest buildings to replace it with unneeded retail space and try to find a use for this lovely old school. I am sure that my family and I are not alone in our desire for an occasional open space to just get away from all the buildings and traffic, space that is just there, not a city park or organized place, just open space where nothing has been built.

Not only can young families not afford to move to Troy anymore, which is a shame; when they do, there is nowhere to take their children to just play in a field or pick wildflower and watch birds, which is greater shame. Please try to save the few places that remain without a building or store for those of us who call Troy home.

Sincerely,

A handwritten signature in cursive script, appearing to read "Janis L. Freed".

Janis L. Freed
4808 Stoddard
Troy, MI 48085
Hm(248)689-1648
Wk(248)649-6000

cc: Detroit Free Press/Letters to Editor
Oakland Press/Letters to Editor
The Troy Eccentric/Letters to Editor
Troy Times/Letters to Editor
Troy Somerset Gazette/Letters to Editor

Paula P Bratto

From: Charlene A McComb on behalf of Clerks
Sent: Thursday, October 30, 2003 3:22 PM
To: Planning
Subject: FW: AGAINST-- Rezoning at Long Lake and Rochester

-----Original Message-----

From: Felice, Christopher [mailto:Christopher.Felice@fanucrobotics.com]
Sent: Thursday, October 30, 2003 1:09 PM
To: clerk@ci.troy.mi.us
Subject: AGAINST-- Rezoning at Long Lake and Rochester

October 30, 2003

Attn: Troy Planning Commission

RE: T2N, R11E, NE 1/4 of Section 15
Re-Zone Request from R-1T to B-2

We wanted to express our strong recommendation that the Troy Planning Commission does not deviate from the current zoning on the above referenced parcel.

We understand that an unnamed, large (140,000 sq ft) building is proposed for the site.

We foresee no advantage for this change- only disadvantages for all the surrounding neighbors.

Thank you,

*Chris Felice
Carol Felice
5222 Allison Drive
Troy, MI 48085*

Paula P Bratto

From: Nasari, Godson [GYNASARI@oaklandcc.edu]
Sent: Tuesday, November 04, 2003 3:19 PM
To: 'planning@ci.troy.mi.us'
Subject: Rezoing

This in response to the proposed rezoning for the area Just west of Rochester on Longlake road.

I reside in Covington Ridge Subdivision which is adjacent to the site which will be converted from single family homes to Business site.

When we bought our property, the builder clearly indicated that this area was slated for single family homes and I personally came to the planning division office in Troy and the map indicated the same. For that reason we purchased the property in the subdivision. Changing the plan at this time will lower our property value and increase the already congested intersection At the proposed site. In addition the city will loose on property taxes.

We plenty of vacant business buildings at the intersection of the Rochester road and longlake at this time.

Troy Residence
Godson Nasa

12/22/03

7-597

REC'D

NOV - 5 2003

PLANNING DEPT.

Mr. + Mrs. Michael Aldo

4876 Belvoir

Tray, MI 48085

11/5/03

Attention Planning Commission,

Regarding, the planned re-zoning of Section 15, W. of Long Lake Road by Long Lake development partners which is their intention of trying to rezone this property from family attached Residential to community business.

We are strongly opposed to the proposed re-zoning and wish to keep it Residential. We will if approved, be affected by traffic and those of us who live nearby will have our property values affected. Also, right in that same vicinity, we have an empty Supermarket + stores that have been that way for years. We do not need anymore commercial

Michael + Maria Aldo

East Long Lake Estates

Homeowner's Association
A Pleasant Place To Live

2-597D

P.O. Box 341

Troy Mi. 48099

Nov. 7, 03

To: The Planning Commission / City of Troy
From: The East Long Lake Estates Homeowner's Association

Subject: Request for rezoning of property T2N, R11E, NE ¼ of Section 15, on East Long Lake Rd. west of Rochester Rd.

The East Long Lake (ELLE) Homeowner's Association Committee was polled to determine the Association's position on the above request for rezoning. With the limited time available, many, but not all of the 161 residences, were contacted.

The overwhelming response was "NO" to the rezoning request. Reasons for not allowing rezoning are listed below.

. Increased traffic congestion on East Long Lake Rd. and Rochester Rd. Rush hour traffic will see a great increase and this increase will extend into non-rush hours.

. Adjoining shopping centers are presently all experiencing vacancies. These include the Meadow Brook Plaza, the Long Lake Plaza, and the Old Village Center. The Meadow Brook Plaza is presently only 50% occupied. In addition, the Troy Grande Office Center at 1152 East Long Lake Rd., newly built two years ago, still has no occupants. The newly built office building at 920 East Long Lake Rd. is approximately 50% occupied. It is just not prudent to continue building business centers in an area with numerous unoccupied shops and offices.

. For nearby residents and pedestrians, night-lighting, noise and safety issues will be on the increase.

Please consider the wishes and feelings of the residents of the City of Troy. This parcel of land was wisely zoned for residential use by our original city planners. Though changing times may require changes to well thought out plans, there appears to be no wisdom to this request for change.



Bob Van Proeyen
President

ELLE Homeowner's Association

Paula P Bratto

From: Linda Thielfoldt [lindat@devlingroup.com]
Sent: Monday, November 10, 2003 2:38 PM
To: planning@ci.troy.mi.us
Cc: Kelly, Bob; John & Bridget LaDuke; Crkaltz@cs.com; jju@wwnet.net
Subject: Public Hearing on Long Lake Property

Dear Planning Commission of the City of Troy,

This letter is to express our views on the upcoming hearing to consider the request of Robert Roth/Long Lake Road Development Partners LLC to rezone the 16+/- acre parcel just East of Rochester on the South side of Long Lake Road.

We found it interesting that for the three proposed buildings there was no mention of any tenant or occupant. We found it interesting in today's real estate market glut (especially in Troy where vacancy rates are at an all time high) that a developer would propose three buildings that total approximately 158,000 square feet. The largest building being of the size that could house a Home Depot. We find it interesting that the developer is trying again after being turned down for a similar proposal in 2001.

Back in 2001 we fought this very same zoning/development plan and it was turned down by both the planning commission and also the city council. As homeowners we collected over 600 signatures from area residents that were opposed to this zoning change. Our views have not changed. We support the master plan and want the city to stick to it. The master plan does not allow for commercial development on this site.

This is not what Troy needs! We don't need another big box retailer and we don't need any more office space. AND we don't need more traffic that this type of development will bring to the area.

The following concerns have been expressed by neighborhood residents and businesses:

- Increased traffic congestion on Long Lake and Rochester roads
- Increased noise from vehicles entering and leaving businesses during all hours of business operations, potentially 24x7
- Decreased safety for residents - especially students traveling to and from area schools from increased traffic on major roads
- Increased light pollution from business parking lot lighting systems
- Potentially more vacant office/retail buildings with the already high vacancy rate in Troy and surrounding areas
- Increased chance for flooding residential areas due to parking lot water run-off
- Decreased Covington Ridge home values, especially homes near business-zoned property

What would be nice are some well built and well priced housing options. Perhaps some mixed use residential is what makes the most sense. Let's get creative here.

We urge you to recommend to council a no on this zoning change. We bought in Troy and built our homes under the premise that this parcel would be developed as residential. Don't let us down! Keep the current residential zoning!

Sincerely,

Linda and Devan Thielfoldt
646 East Long Lake Road

12/22/03

Paula P Bratto

From: Meola140@cs.com
Sent: Monday, November 10, 2003 8:27 AM
To: planning@ci.troy.mi.us
Subject: Rezoning on Long Lake Rd.

Dear Mr Littman and Planning Commission Members,

As members of a neighborhood that will be strongly affected by the rezoning of T2N, R11E, NE 1/4 of Section 15, we want you to keep the zoning as family attached residential.

Before purchasing our home we checked the zoning of the area. We wanted a quiet and safe neighborhood. We bought our home because of the zoning in the area. Long Lake Road is a road that has some business at the corners, but is mainly residential in its occupancy. To extend the business area, especially with very large businesses, will spoil the atmosphere of Long Lake Road. It will hurt the value of all homes on or near Long Lake. Traffic on Long Lake will become like the traffic on Big Beaver and Maple Roads. These Roads were not primarily residential, and any residences on or near them lack peace and quiet, and have become poor residential choices. Check the communities to the West and to the East of Troy . They have kept the residential flavor of the area. Do not destroy this area with a big business that may end up like the Farmer Jack on the corner of Long Lake and Rochester. In fact, that would be a good location already available for a business.

If Troy is to keep its value like Birmingham and Royal Oak, it must value its residential life, and attract people to life in its neighborhoods. Attractive homes in Troy are the basis of long term value to our properties. PLEASE
KEEP OUR QUALITY OF LIFE IN TROY, KEEP THE ZONING OF THIS LAND FAMILY ATTACHED
RESIDENTIAL.

Sincerely,
Phil and Pat Meola
170 Wilton Drive, Troy

Paula P Bratto

From: Jerry [grichart@comcast.net]
Sent: Monday, November 10, 2003 6:57 PM
To: planning@ci.troy.mi.us
Subject: Re-zoning Property East of Covington Ridge Subdivision - PLEASE REJECT

PLEASE REJECT THE RE-ZONING OF THE SUBJECT PROPERTY FROM R-1T (One Family Attached Residential) to B-2 (Community Business) !!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!

As a long time citizen of Troy I strongly object to the constant rezoning of property to accommodate developers. I believe that there is a strong case to reject this proposal.

- 1. There already is a high vacancy rate in Troy and surrounding areas. I personally was looking for office space in Troy and was overwhelmed by the amount of unoccupied office space. Why add to an already serious situation. Why add more commercial/retail space when the building when buildings such as the one previously occupied by the A&P remains vacant.**
- 2. There is already a traffic congestion problem on Long Lake Road. I know because I drive it every day. A commercial development would only make matters worse thus creating an serious safety problem.**
- 3. Light and noise pollution from business parking lots. Most of us moved to Troy because Troy offered a rural setting in a metropolitan area. The rapid commercialization of Troy and departure from the city's master plan ignores the wishes of the people who chose the city of Troy as their home. Is the city going to pave paradise and put up a parking lot?**
- 4. This type of development will have a negative impact on home values, particularly those near the development. Is that fair to people who build homes with the understanding that the adjacent property was zoned residential?**

In conclusion, enough is enough! The rejection of this re-zoning request is the first step in responding positively to the wishes of the Troy citizens.

Let the developers find another city to pollute.

Thank you,

**Jerry Richart
487 Trillium
Troy, Michigan**

Paula P Bratto

From: Crkaltz@cs.com
Sent: Tuesday, November 11, 2003 5:39 PM
To: lindat@devlingroup.com; planning@ci.troy.mi.us
Cc: bob.kelly@eds.com; jbladuke@wideopenwest.com; jju@wwnet.net
Subject: RE: Public Hearing on Long Lake Property

Dear Members of the Planning Commission:

My husband and I fully support and echo everything Ms Thielfoldt has to say in her letter below. Please respectfully consider our concerns.

Cheryl Kaltz
648 Nada Drive
Troy, MI
248-689-4355

Linda Thielfoldt <lindat@devlingroup.com> wrote:

>Dear Planning Commission of the City of Troy,
>
>This letter is to express our views on the upcoming hearing to consider the
>request of Robert Roth/Long Lake Road Development Partners LLC to rezone
>the 16+/- acre parcel just East of Rochester on the South side of Long Lake
>Road.
>
>We found in interesting that for the three proposed buildings there was no
>mention of any tenant or occupant. We found it interesting in todays real
>estate market glut (especially in Troy where vacancy rates are at an all
>time high) that a developer would propose three buildings that total
>approximately 158,000 square feet. The largest building being of the size
>that could house a Home Depot. We find it interesting that the developer
>is trying again after being turned down for a similar proposal in 2001.
>
>Back in 2001 we fought this very same zoning/development plan and it was
>turned down by both the planning commission and also the city council. As
>homeowners we collected over 600 signatures from area residents that were
>opposed to this zoning change. Our views have not changed. We support the
>master plan and want the city to stick to it. The master plan does not
>allow for commercial development on this site.
>
>This is not what Troy needs! We don't need another big box retailer and we
>don't need any more office space. AND we don't need more traffic that this
>type of development will bring to the area.
>
>The following concerns have been expressed by neighborhood residents and
>businesses:
>• Increased traffic congestion on Long Lake and Rochester roads
>• Increased noise from vehicles entering and leaving businesses
>during all hours of business operations, potentially 24x7

>• Decreased safety for residents - especially students traveling to
>and from area schools from increased traffic on major roads
>• Increased light pollution from business parking lot lighting
systems
>• Potentially more vacant office/retail buildings with the already
>high vacancy rate in Troy and surrounding areas
>• Increased chance for flooding residential areas due to parking lot
>water run-off
>• Decreased Covington Ridge home values, especially homes near
>business-zoned property
>
>What would be nice are some well built and well priced housing
>options. Perhaps some mixed use residential is what makes the most
>sense. Lets get creative here.
>
>We urge you to recommend to council a no on this zoning change. We bought
>in Troy and built our homes under the premise that this parcel would be
>developed as residential. Don't let us down! Keep the current
residential
>zoning!
>
>
>Sincerely,
>
>Linda and Devan Thielfoldt
>646 East Long Lake Road
>Troy MI 48085
>248-740-8825
>Covington Ridge Subdivision
>
>

Paula P Bratto

From: MIHarringtonPark@aol.com
Sent: Tuesday, November 11, 2003 4:10 PM
To: planning@ci.troy.mi.us
Subject: Proposed Rezoning

November 11, 2003

City of Troy
Planning Commission
500 W Big Beaver
Troy MI 48084

RE: The Matter of the Rezoning of the Parcel Located on the
South Side of Long Lake Road and West of Rochester Road

To the Esteemed Members of the Planning Commission,

This is to voice our concerns in the matter of the rezoning of the parcel located on the south side of Long Lake Road and west of Rochester Road, that our company, Harrington Park Development LLC is categorically and firmly opposed to the suggested rezoning. The reasons for this opposition are many:

1. The master plan of Troy does not allow for this type of zoning in this area.
2. The proposed rezoning would increase traffic congestion and noise pollution to unacceptable levels.
3. There is currently a high vacancy rate in commercial property in this immediate area, specifically at the location on the north side of Long Lake Road and the west side of Rochester Road - right across Long Lake Road from the proposed rezoning.
4. This rezoning proposal would lower the property value of our new residential development adjacent to the subject property. We purchased our property recently with the understanding that the adjacent property is zoned residential. We would suffer major economic loss if this zoning is approved.

We have made many attempts to contact the owners of the parcel in question to work out a mutually agreeable arrangement. We have yet to receive a response from them.

Thank you for your time and consideration in this matter.

Sincerely,

Richard Spehar
Harrington Park Development LLC

cc: file-RB000

12/22/03

Paula P Bratto

From: Nido, Dennis [dnido@kmart.com]
Sent: Tuesday, November 11, 2003 1:58 PM
To: 'planning@ci.troy.mi.us'
Subject: Section 15 - Rezoning Request

I want to express my desire to **deny** the (latest) rezoning request for section 15 (located west of Rochester Rd. on the South side of Long Lake).

I feel the current zoning of the above land parcel is in the best interest of Troy residents.

Thank you,

Dennis Nido
4755 Belzair Dr.
Troy, Michigan 48085

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12/22/03

Paula P Bratto

From: Geesey, Paul [PGeesey@lear.com]
Sent: Tuesday, November 11, 2003 9:11 AM
To: 'planning@ci.troy.mi.us'
Cc: 'John LaDuke'; 'Cheryl Geesey'
Subject: Proposed Re-Zoning Z-597D

Dear Commissioners,

We are writing to register our OPPOSITION to the proposed rezoning of property near Long Lake & Rochester Roads.

We live in the Covington Ridge (phase II) subdivision and believe that this re-zoning request should be rejected for the following reasons:

- The requested reclassification from residential to business is entirely inappropriate for that area. Several residential developments already exist in that area. Bringing new business development right up to our neighborhood boundaries will negatively impact our home values due to additional noise, automobile traffic, and will likely result in drainage problems.
- That general area of Troy is already overbuilt with vacant commercial space - i.e. former Farmer Jack/Daman Plaza.
- Troy in general has an abundant (and still growing) supply of vacant office space.
- Residents that have bought homes in the general area of Long Lake & Rochester Roads have a right to expect that the city will standup for its own master zoning plan. These plans were crafted by the city (with citizen input) for the purpose of providing a stable and consistent order for development in Troy. This proposed re-zoning will bring commercial activity too far west down Long Lake Road. Citizens are looking to the zoning master plan and commissioners to protect their investments and provide stability to the city by avoiding massive "plan de jour" type projects.
- I believe that these same approximate parcels were slated for a "big box" retailer just a couple of years ago. The city was right to reject the re-zoning request then, and it should reject it again this time!

The current residential zoning in that area is working as evidenced by the new subdivision just to the east of Covington Ridge on Long Lake.

Thank you for listening to our concerns and considering them in your decision.

Regards,

Paul and Cheryl Geesey
527 Sara Drive
Troy, MI 48085
248.689.9374

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12/22/03

From: Lantzy, Bill [BLantzy@dmc.org]
Sent: Tuesday, November 11, 2003 8:42 AM
To: planning@ci.troy.mi.us
Subject: RE-ZONING PROPERTY EAST OF COVINGTON RIDGE SUBDIVISION

As a resident of troy for the past 12 years, I am writing you to deny the request to re-zone the property east of the Covington Ridge subdivision from R-1T (One Family Attached Residential) to the B-2 (Community Business). I truly believe this would be a mistake to move ahead for a number of reasons. Homeowners in Troy moved into their homes based on how the area around them was zoned, now the city continually wants to re-zone area to cause problems for the residents of this area. This would increase traffic, noise, safety issues, along with the possibility of property values being affected. Property was zoned in the area for a reason, the original plan still makes sense. Bill Lantzy 5161 Shady Creek



188 HARRINGTON DRIVE

TROY MICHIGAN 48098

OFFICE
248.828.1010

FAX
248.828.9612

HARRINGTONPARKMI@AOL.COM

WWW.HARRINGTONPARKMI.COM

November 11, 2003

City of Troy
Planning Commission
500 W Big Beaver
Troy MI 48084

NOV 13 2003

PLANNING DEPT.

RE: The Matter of the Rezoning of the Parcel Located on the
South Side of Long Lake Road and West of Rochester Road

To the Esteemed Members of the Planning Commission,

This is to voice our concerns in the matter of the rezoning of the parcel located on the south side of Long Lake Road and west of Rochester Road, that our company, Harrington Park Development LLC is categorically and firmly opposed to the suggested rezoning. The reasons for this opposition are many:

1. The master plan of Troy does not allow for this type of zoning in this area.
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3. There is currently a high vacancy rate in commercial property in this immediate area, specifically at the location on the north side of Long Lake Road and the west side of Rochester Road – right across Long Lake Road from the proposed rezoning.
4. This rezoning proposal would lower the property value of our new residential development adjacent to the subject property. We purchased our property recently with the understanding that the adjacent property is zoned residential. We would suffer major economic loss if this zoning is approved.

We have made many attempts to contact the owners of the parcel in question to work out a mutually agreeable arrangement. We have yet to receive a response from them.

Thank you for your time and consideration in this matter.

Sincerely,

Richard Spehar
Harrington Park Development LLC

cc: file-RB000

Charlene Calabro
488 Trillium Dr.
Troy, MI

Resident in Shady Creek Subdivision. May not be able to attend meeting and wanted her opinion know.

She is strongly opposed to the proposed rezoning at south side of Long Lake and west of Rochester (former Goodman parcel). Was against it before (proposed Home Depot) and still is against the rezoning to commercial.

Yili Zhuang
4872 Somerton Dr.
Troy, MI

Resident in Covington Ridge. May not be able to attend meeting and wanted her opinion know.

She is strongly opposed to the proposed rezoning at south side of Long Lake and west of Rochester (former Goodman parcel).

Feels will have negative effect on character of neighborhood and the property values in the neighborhood.

December 22, 2003

To: Honorable Mayor and City Council

From: John Szerlag, City Manager
John Lamerato, Assistant City Manager/Finance and Administration
Gary Shripka, Assistant City Manager/Services
Carol K. Anderson, Parks and Recreation Director

Subject: Community Center Recreation Pass Fees

Community Center Pass Fees

The Parks and Recreation department has been charged with operating the recreation division with a fixed subsidy. Subsequent to this decision, staff requested direction from council on how to achieve this goal. As such, the City Council approved the distributive method in setting fees with fees set by the City Manager.

Absent a reconsideration by City Council and following the distributive method approach, the Community Center recreation pass fees will be increased approximately 10% for on-going and monthly passes. Daily pass fees remain the same. In response to comments from the public and to stimulate pass sales, staff will establish a corporate recreation pass for Troy businesses, a daily visit punch card for resident children and adults, and a daily visit rate for groups of 20 or more.

The Community Center fees will be effective February 2, 2004 for new pass holders and March 1, 2004 for current pass holders. Please know that staff will review these fees with the Parks and Recreation Advisory Board on January 8, 2004.

BACKGROUND

Council approved Community Center pass fees on November 5, 2001 with no increases to date. Based on a survey (see attachment) of other Community Centers and private fitness facilities in the Detroit area, the Troy Community Center has the lowest rates in the market. In order to assure that the budgeted pass fee revenue is met for the 2003-04 year, a 10% increase in fees for on-going and single month pass holders is essential. Combined with the other sources of revenue, this increase will allow the Community Center operating costs to be met. Operating expenses have risen 22% from 2002-03 due primarily to the completion of Phase 2 of the project. The increase in monthly fees will affect the passes listed below:

| Pass Type | Current Fee | Proposed Fee |
|---|--------------------|---------------------|
| Recreation Pass - Resident, 1 st member | \$15.00 | \$16.50 |
| Recreation Pass – Resident, Additional member | \$7.50 | \$8.25 |
| Recreation Pass – Resident, Family of 4 | \$37.50 | \$41.25 |
| Recreation Pass – Non-resident Employee, 1 st member | \$18.33 | \$20.50 |
| Recreation Pass – Non-resident Employee, Additional member | \$9.17 | \$10.25 |
| Recreation Pass – Resident, Matinee | \$11.67 | \$12.50 |
| Recreation Pass – Non-resident Employee, Matinee | \$13.33 | \$15.00 |
| Single Month Pass – Resident | \$30.00 | \$33.00 |
| Single Month Pass – Non-resident Employee | \$40.00 | \$44.00 |

Discounts for seniors (10%), disabled (10%) and low income (10% - 50%) will still apply to residents purchasing the passes listed above. The daily visit rates to use the Community Center will not be increased at this time as they are appropriately priced in the local market.

The “new” corporate recreation pass will be available to any Troy based corporation. A minimum of 10 recreation passes must be purchased at the non-resident employee rate (\$20.50) and can be used interchangeably by employees, their families and clients of the corporation.

The “new” daily visit punch card will valid for ten visits by the resident pass holder. The punch card is priced at \$40 for children and \$60 for adults. This amount is \$2 less than the regular single visit rate.

The “new” group rate will allow groups of 20 or more who have a resident sponsor to purchase a daily visit pass at \$5 each.

Prepared by Kraig Schmottlach, Community Center Facility Manager

Corporate Recreation Pass Information

Troy Community Center

Eligibility: Any business or non-profit association located within the City of Troy can qualify for the corporate recreation pass program. Eligible entities must submit a letter signed by the president, CEO or human resource manager on company letterhead.

Price

1. A minimum of 10 recreation passes must be purchased and remain active.
2. The corporation will be charged the non-resident employee fee of \$20.50 per month or \$246 per 12 month period for each recreation pass.
3. Passes can be paid for on a monthly basis via an EFT service or as a lump sum for the first 12 months.
4. Corporations are responsible for any price increases to the Recreation Pass during their enrollment in this program.
5. There are no refunds on passes paid via the lump sum method. A Pass Cancellation form must be completed 30 days in advance to cancel a pass and remove it from the EFT service.

Corporate Recreation Pass Features

- The Recreation Pass allows unlimited use of the recreation areas (pool, gymnasium, fitness rooms and locker rooms) during “open use” times (posted quarterly).
- The Recreation Pass is transferable and may be used by any employee, volunteer, family member or client of the designated corporation.
- Discount pricing for child care service is available upon presentation of a Recreation Pass.

Enrollment and Facility Use Procedures

1. Complete the Corporate Pass Application and include letter on company letterhead (signed by president, CEO or human resource manager) indicating desire to participate in the Corporate Pass Program.
2. Make appropriate payment. Recreation passes will begin on the 1st of the following month.
3. A minimum of 10 recreation passes will be issued to the corporation. The company logo may appear on the recreation card if submitted on a disk in j-peg format.
4. Upon visiting the Community Center, each corporate pass holder must display the recreation card and sign a waiver at the Control Desk.
5. Corporate pass holders may sponsor a guest for the daily guest pass rate. Children under 3 are free.
6. There is a \$6 fee to replace a lost recreation card.
7. Children under 10 years of age must be accompanied and supervised by a pass holder 16 years or older.
8. Children under 13 years of age are not permitted in the fitness room (Children 13 years of age must take a mandatory fitness room orientation class).
9. Refer to the Recreation Policies for a complete listing of rules and regulations.

Detroit Area Fitness Survey

| Community Centers | Resident Fee | Non Resident | Notes |
|--------------------------------|---------------------|-----------------------------------|--|
| Troy Community Center | \$15/mo | \$18.33 mo (Must work in Troy) | Half price for additional family members |
| Canton | \$200/yr | \$400/yr | |
| Dearborn | \$324/yr or \$27/mo | Not Available | |
| Livonia | \$195/yr | \$390/yr | |
| Warren | \$230/yr | \$400/yr | |
| Private Fitness Centers | | | |
| Fitness Unlimited | \$29/mo | | |
| Jewish Comm Center | \$32/mo | | |
| Powerhouse | \$33.25/mo | | |
| YMCA | \$52/mo | | Free fitness classes |
| Bally's | \$54/mo | | Free fitness classes |
| Lifetime Fitness | \$60/mo | | Free fitness classes and child care |
| Fitness USA | \$62/mo | | Free personal training |
| Sports Club | \$67.50/mo | | Free fitness classes |

January 2004

| January 2004 | | | | | | | February 2004 | | | | | | |
|--------------|----|----|----|----|----|----|---------------|----|----|----|----|----|----|
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| 18 | 19 | 20 | 21 | 22 | 23 | 24 | 15 | 16 | 17 | 18 | 19 | 20 | 21 |
| 25 | 26 | 27 | 28 | 29 | 30 | 31 | 22 | 23 | 24 | 25 | 26 | 27 | 28 |
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| Monday | Tuesday | Wednesday | Thursday | Friday | Sat/Sun |
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| | | | January 1, 04 New Years Holiday-City Offices Cl | 2 | 3 |
| | | | | | 4 |
| 5 | 6 | 7 | 8 | 9 | 10 |
| 7:30pm City Council-Regular (Council Chambers) 7:30pm Tentative Study Session (Council Boardroom) | 7:00pm EthnicIssues (Conference Room C) 7:30pm Planning/Study (CouncilBd Room) | 8:30am BldgCdAppeals (Conference Rm LL) 7:00pm Persons w/Dis (Conference Rm LL) | 10:00am SeniorCitizens (CommCtr) 7:30pm LibraryBd (Library) 7:30pm Parks and Rec (CommCtr) | | 11 |
| 12 | 13 | 14 | 15 | 16 | 17 |
| 7:00pm Liquor Committee Meeting 7:30pm City Council-Regular (Council Chambers) 7:30pm Tentative Study Session (Council Boardroom) | 7:30pm Planning (CC) | 3:00pm ERS Meeting - Conf Room C (room has already been booked) (agenda) | 3:00pm Brownfield (Conference Room C) | | 18 |
| 19 | 20 | 21 | 22 | 23 | 24 |
| Candidate Filing Deadline @ 4:00 | 7:30pm BdZoningAp (CC) | 7:30am DDA (Conference Rm LL) | | | 25 |
| 26 | 27 | 28 | 29 | 30 | 31 |
| 7:30pm City Council-Regular (Council Chambers) | 7:30pm Planning/Study (CouncilBd Room) | 7:30pm CCPTF (CouncilBd Room) | | | |

February 2004

| February 2004 | | | | | | |
|---------------|----|----|----|----|----|----|
| S | M | T | W | T | F | S |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| 8 | 9 | 10 | 11 | 12 | 13 | 14 |
| 15 | 16 | 17 | 18 | 19 | 20 | 21 |
| 22 | 23 | 24 | 25 | 26 | 27 | 28 |
| 29 | | | | | | |

| March 2004 | | | | | | |
|------------|----|----|----|----|----|----|
| S | M | T | W | T | F | S |
| 7 | 1 | 2 | 3 | 4 | 5 | 6 |
| 14 | 8 | 9 | 10 | 11 | 12 | 13 |
| 21 | 15 | 16 | 17 | 18 | 19 | 20 |
| 28 | 22 | 23 | 24 | 25 | 26 | 27 |
| | 29 | 30 | 31 | | | |

| Monday | Tuesday | Wednesday | Thursday | Friday | Sat/Sun |
|---|---|---|---|--------|------------|
| | | | | | |
| | | | | | February 1 |
| 2 | 3 | 4 | 5 | 6 | 7 |
| 7:30pm City Council-Regular (Council Chambers) 7:30pm Tentative Study Session (Council Boardroom) | 7:00pm EthnicIssues (Conference Room C) 7:30pm Planning/Study (CouncilBd Room) | 8:30am BldgCdAppeals (Conference Rm LL) 7:00pm Persons w/Dis (Conference Rm LL) | 10:00am SeniorCitizens (CommCtr) | | 8 |
| 9 | 10 | 11 | 12 | 13 | 14 |
| 7:00pm Liquor Committee Meeting | 7:30pm Planning (CC) | 3:00pm ERS Meeting - Conf Room C (room has already been booked) (agenda) | 7:30pm LibraryBd (Library) 7:30pm Parks and Rec (CommCtr) | | 15 |
| 16 | 17 | 18 | 19 | 20 | 21 |
| 7:30pm City Council-Regular (Council Chambers) 7:30pm Tentative Study Session (Council Boardroom) | 7:30pm BdZoningAp (CC) | 7:30am DDA (Conference Rm LL) 7:30pm Liquor Violation Hearings (Council Chambers) | | | 22 |
| 23 | 24 | 25 | 26 | 27 | 28 |
| 7:30pm City Council-Regular (Council Chambers) | 7:30pm Planning/Study (CouncilBd Room) | 7:30pm Liquor Violation Hearings (Council Chambers) | | | 29 |

6-6

March 2004

| March 2004 | | | | | | | April 2004 | | | | | | |
|------------|----|----|----|----|----|----|------------|----|----|----|----|----|----|
| S | M | T | W | T | F | S | S | M | T | W | T | F | S |
| 7 | 1 | 2 | 3 | 4 | 5 | 6 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| 14 | 8 | 9 | 10 | 11 | 12 | 13 | 11 | 12 | 13 | 14 | 15 | 16 | 17 |
| 21 | 15 | 16 | 17 | 18 | 19 | 20 | 18 | 19 | 20 | 21 | 22 | 23 | 24 |
| 28 | 22 | 23 | 24 | 25 | 26 | 27 | 25 | 26 | 27 | 28 | 29 | 30 | |

| Monday | Tuesday | Wednesday | Thursday | Friday | Sat/Sun |
|---|--|--|---|--------|---------|
| March 1 | 2 | 3 | 4 | 5 | 6 |
| 7:30pm City Council-Regular (Council Chambers) 7:30pm Tentative Study Session (Council Boardroom) | 1:00pm Bd of Review 7:00pm EthnicIssues (Conference Room C) 7:30pm Planning/study (CouncilBd Room) | 8:30am BldgCdAppeals (Conference Rm LL) 7:00pm Persons w/Dis (Conference Rm LL) | 10:00am SeniorCitizens (CommCtr) | | 7 |
| 8 | 9 | 10 | 11 | 12 | 13 |
| 9:00am Bd of Review 7:00pm Liquor Committee Meeting | 1:00pm Bd of Review 7:30pm Planning (CC) | 3:00pm ERS Meeting - Conf Room C (room has already been booked) (agenda) | 7:30pm LibraryBd (Library) 7:30pm Parks and Rec (CommCtr) | | 14 |
| 15 | 16 | 17 | 18 | 19 | 20 |
| 7:30pm City Council-Regular (Council Chambers) 7:30pm Tentative Study Session (Council Boardroom) | 7:30pm BdZoningAp (CC) | 7:30am DDA (Conference Rm LL) | | | 21 |
| 22 | 23 | 24 | 25 | 26 | 27 |
| 7:30pm City Council-Regular (Council Chambers) | 7:30pm Planning/Study (CouncilBd Room) | | | | 28 |
| 29 | 30 | 31 | | | |
| | | | | | |

5-6



DAVID B. NIEDERMEIER
CHIEF OF POLICE

TELEPHONE (248) 542-6161
FAX (248) 546-4084

December 5, 2003

Chief Charles T. Craft
Troy Police Department
500 W. Big Beaver
Troy, MI 48084

CHARLEY
Dear Chief Craft;

This letter is sent to you on behalf of the Hazel Park Police Department to express my personal appreciation for the valuable service that was provided to our department by your Special Investigations Unit (SIU). As I believe you are aware on October 28, 2003 there was a robbery at Tenny Plumbing in Hazel Park during which a customer was fatally shot by one of the suspects. In the course of the investigation a suspect was developed and the need to establish continuous surveillance to obtain intelligence arose. In order to establish twenty-four hour surveillance on the suspect our department requested the assistance of your agencies SIU along with the Oakland County Fugitive Apprehension Team (FAT), Royal Oak P.D. SIU and the Crime Suppression Task Force (CSTF).

During this surveillance operation, which lasted in excess of seventy-two hours, much intelligence was gained. The officers involved worked admirably and displayed great skill in their abilities to carry out such an operation. Unfortunately at this time the proofs necessary to seek warrants on the suspected individuals is not adequate and need to be further developed which remains a work in progress at this time.

If you would, please pass along my personal thank you to the following individuals of your agency for their assistance with this investigation.

Lt. Chuck Pappas
Sgt. Henry Herpel
Sgt. George Zielinski
P.O. John Hill
P.O. Mark Neubauer
P.O. David Quaiatto
P.O. Mike Meinzing

Sincerely,

David B. Niedermeier
David B. Niedermeier
Chief of Police

CC: OFFICERS DEPT Files
Bulletin Board

G-07a

Mary F Redden

From: Carol K Anderson
Sent: Tuesday, December 16, 2003 12:00 PM
To: Mary F Redden; Mary D Peltier
Subject: FW: Feedback from our Christmas Outing

for agenda.

-----Original Message-----

From: Beverly J. Sackner
Sent: Tuesday, December 16, 2003 10:16 AM
To: Kraig L Schmottlach; Carol K Anderson
Subject: FW: Feedback from our Christmas Outing

-----Original Message-----

From: spencer@dcim.com [mailto:spencer@dcim.com]
Sent: Tuesday, December 16, 2003 10:13 AM
To: Beverly J. Sackner
Subject: Feedback from our Christmas Outing

Good Morning, Beverly

I wanted to make sure that I sent feedback to you regarding our party that was held on Sunday, December 14th. It couldn't have turned out any better! I am 100% satisfied and will definitely call you again for our party needs.

The catering crew was friendly, professional and helpful. The food was served warm and festive with everything that we needed.

The supervisor from the Park & Rec. department was helpful. She was there and was able to help with every request that I had.

The maintenance man was very helpful and nice.

Beverly, you should be proud of the group that you have on-board. You guys are great!

P.S. Let me know when you get your liquor license - we will sign up for our Company employee Christmas party for next year!

Happy Holidays!

Cindy Spencer
DCI Marketing
Phone: (248) 822-2686

December 1, 2003

James I. Snapp
23336 Harding Ave.
Hazel Park, Mi. 48030

Chief Charles T. Craft
Troy Police Department
Troy, Mi. 48084

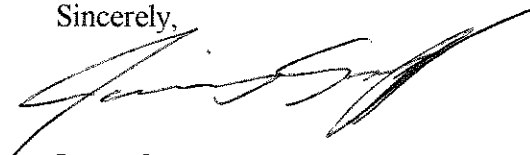
Dear Chief Craft:

I would like to take the time and thank you for assisting me in completing the requirements for my Field Project Class at Oakland Community College. I feel that I am very lucky to have the opportunity to participate in an internship program with the Police Department. Even though the class room setting provides a student with the working knowledge of how a police department is run and operated, it is only when you get on the road and behind the scenes, when you start to understand the magnitude of how every divisions must work together in order to protect and serve a community.

I was particularly impressed with the way I was allowed to ride along with the officers on patrol, have a backstage look at how the department has grown in technology in the last 50 years, and see the diversity between the different divisions.

It is because of these reasons, I would highly recommend this to any person who would be interested in a career in law enforcement.

Sincerely,



James Snapp



cc: City Mgr.
File

December 13, 2003

Police Officer Russell Barrows
Troy Police Department
500 W. Big Beaver Road
Troy, MI 48084

Officer Barrows,

I have been trying to write this letter for months, but because of the emotional circumstances I have not been able to write you and thank you for doing the job you had to do.

You came to my house about 1:00 am December 26, 2002 with the news that Troy Police had been contacted by the California Highway Patrol, who had found my son's car abandoned on the Golden Gate Bridge and I was to contact the CHP. You stayed with my wife and I while I called the California Highway Patrol, who told me that they had found evidence that my son may have jumped from the Golden Gate Bridge.

You showed concern for both my wife's and myself emotional and physical state that night. You asked me more than once how I was feeling physically. You were with us for what seemed to be an hour or so. You were present to help if needed but you maintained enough distance from us as to not be an intruder.

You suggested a grief councilor named Barbara who works out of Desmond Funeral Home. My wife and I have met with Barbara on more than one occasion and she has been a tremendous help to us.

Without your recommendation of the grief councilor I don't know what we would have done to find a councilor.

I can't express my thanks enough for the way you handled the situation that night. I just don't know how to express how you did your job, but I want you to know that you did the best that could be expected.

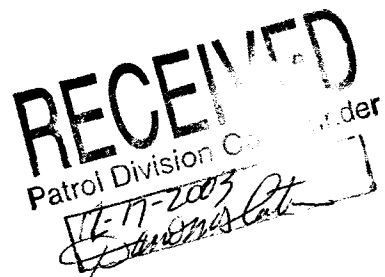
I know you have plenty of things to do in your own life but if you would take a moment to read a few letters about my son at his web site johnpavlat.com I would appreciate it.

Thank you again,

Gerald B Pavlat
Jerry and Sue Pavlat
6383 Elsey Drive
Troy, MI 48098

Our son's body has not been recovered as yet.

Barrows



December 1, 2003

G-07e

James I. Snapp
23336 Harding Ave.
Hazel Park, Mi. 48030

Brian LaForest
Troy Police Department
Troy, Mi. 48084

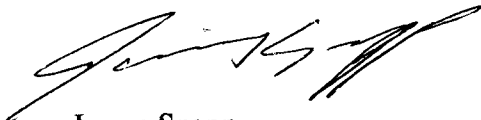
Dear Mr. LaForest:

I would like to take the time and thank you for assisting me in completing the requirements for my Field Project Class at Oakland Community College. I feel that I am very lucky to have the opportunity to participate in an internship program with the Police Department. Even though the class room setting provides a student with the working knowledge of how a police department is run and operated, it is only when you get on the road and behind the scenes, when you start to understand the magnitude of how every divisions must work together in order to protect and serve a community.

I was particularly impressed with the way I was allowed to ride along with the officers on patrol, have a backstage look at how the department has grown in technology in the last 50 years, and see the diversity between the different divisions.

It is because of these reasons, I would highly recommend this to any person who would be interested in a career in law enforcement.

Sincerely,



James Snapp

RECEIVED
12-15-03
RC #210
La Forest

TROY

SCHOOL DISTRICT

G-07f

Janet H. Jopke, Ed.D., Superintendent of Schools

Baker Middle School
1291 Torpey
Troy, Michigan 48083
248.823.4600
248.823.4613 Fax

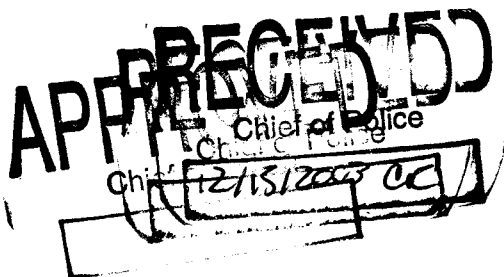
Lawrence E. Hahn, Principal
Mary Haezebrouck, Assistant Principal

Ruth Frushour,
1291 Torpey Dr
Troy, MI 48083
Dec. 10, 2003

Charlie Craft
500 W. Big Beaver Rd.
Troy, MI 48084

Dear Sir:

I am writing this letter regarding one of my guest speakers, Officer Nicolette Kaptur. She has spoken to five of my health classes about drug prevention and consequences. Her professionalism, method of delivery and experiences captivate and motivate my students to choose abstinence. I can't emphasize enough how important it is to have her support our curriculum. I sincerely hope she is able to continue this positive contribution to my students.



Sincerely,
Ruth Frushour
(Baker Middle School)

CC: City Mgr.
DEPT File
Bulletin Board

An Equal Opportunity/Affirmative Action Employer

MADISON HEIGHTS POLICE DEPARTMENT

G-07g

280 West Thirteen Mile Road • Madison Heights, Michigan 48071

248-585-2100 • Fax 248-585-8090 • Administration 248-837-2729

KEVIN M. SAGAN

Chief of Police

Chief Charles Craft

Troy Police

500 W Big Beaver

Troy, MI. 48084

DONALD A. ROESKE

Deputy Chief of Police

December 11, 2003

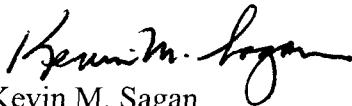
Dear Chief Craft,

On behalf of the Madison Heights Police Department and Madison School District, I would like to thank you for allowing **Officers Ed Klute (with K-9 "Boss")**, **Russ Barrows (with K-9 "Gunner")**, **Mark Cole (with K-9 Borus)**, and **Paul Bednard (with K-9 "Ronnie")** to participate in the "narcotics sweep" of Madison District Schools on December 11, 2003.

That pro-active search of the interior and exterior areas of school property was conducted at the request of Madison District Superintendent Steve Johnson. Our agency coordinated the efforts of a multi-jurisdictional team of eleven police K-9 units to quickly and efficiently perform the required tasks. Your Department's Canine teams worked very well, leaving a very positive impression with school administrators, teachers, and students. I am very pleased to report that no drugs or narcotics paraphernalia was located on school property during that search.

Thank you for assisting us in this endeavor.

Sincerely,



Kevin M. Sagan
Chief of Police



CC: OFF. KLUTE
OFF. Barrows
OFF. Cole
OFF. Bednard
OFF'S Dept. Files
Capt. SATO
Bullock Board

Barbara A Holmes

From: on behalf of agenda
To: agenda
Subject: FW: Mayor Matt

-----Original Message-----

From: Charles T Craft
Sent: Saturday, December 20, 2003 1:37 PM
To: Terry L Colussi
Subject: FW: Mayor Matt

CC: [Officers files](#), [City Manger](#), [Captain Slater](#), [Captain Mayer](#), [Captain Murphy](#)

-----Original Message-----

From: Matt Pryor [mailto:matt@mattpryor.org]
Sent: Saturday, December 20, 2003 1:47 AM
To: Charles T Craft
Subject: Mayor Matt

Please convey to the officers involved.

----- Original Message -----

From: [Schmitz Family](#)
To: matt@mattpryor.org
Sent: Friday, December 19, 2003 11:46 PM
Subject: Troy Police rocks!

We had the opportunity today to witness about 8 police cars in a frantic to get to Sylvan Glenn Lake. We all were concerned about what was going on. We learned about the rescue of the woman and her dog that fell into the lake, and how the four police men also fell into the water to rescue her.

We just wanted you all to know, that we feel so very safe living here in Troy, because of officers like you. Please pass this message along to your fellow officers. We think they would appreciate knowing that we Troy citizens owe a lot to the people in the Troy Police department (and fire department) that risk their lives for us. Your service and dedication are exemplary.

We thought about how we might word this email to you. And all we can say is this:

You guys (and gals) rock.

Have a Merry Christmas.
God Bless you all!
Tim and Amal Schmitz

12/29/2003



GOOD JOB JAY. YOU
CONTINUE TO REPRESENT TROY P.D.
WELL. *Jay Mayer*

December 18, 2003

City of Troy Police Department
Chief Charles Craft
500 W. Big Beaver Road
Troy, MI 48084

Dear Chief Craft:

I recently attended the Winter Michigan Bankers Association Conference at the Ritz-Carlton in Dearborn. At one of the sessions, Office Jay Reynolds III along with a State Trooper gave an excellent presentation on fraud and what we as bankers could do to assist ourselves and the police.

As a bank headquartered in the City of Troy, I was pleased to know our hometown police force is taking a leadership role in combating this expensive and frustrating arena of the law. You and your people should be proud of a job well done.

Congratulations and thanks.

Sincerely,

W. David Tull
Chairman

cc: Jay J. Reynolds III
Matt Pryor, Mayor

City Manager
Chief Craft
Lt. Scherlinck
Sgt. Kowalski
Jay Reynolds
File
Bulletin Board

850 East Long Lake Road

www.crestmark.com

Troy, Michigan 48085

Phone 248-740-0700

Fax 248-740-2627

Detroit ■ Ann Arbor ■ Lansing ■ Grand Rapids
Columbus ■ Cincinnati ■ Chicago ■ Washington D.C.

Member FDIC

December 15, 2003

Mr. Don Jakeway, Director
MICHIGAN ECONOMIC DEVELOPMENT CORPORATION
300 N. Washington Square
Lansing, MI 48913

Regarding: Visit to Troy

Dear Don:

I wish to thank you and Jim McBryde for taking the time to learn about our vibrant community as well as discuss the economic feasibility of a conference center. And City staff stands ready to assist you in reaching a comfort level with this project so that it will be given a priority in terms of funding.

In a nutshell, Don, while there is market justification for a conference/hotel facility, an initial investment by the public sector for the capital costs of a conference center is required to make this project economically feasible. Our economic forecasting suggests that \$40 million of funding from the State of Michigan partnered with a local capital contribution toward infrastructure improvements will make this project economically viable.

I appreciate your sharing in our enthusiasm for this proposed project. I would also appreciate that, if available, the State of Michigan would share about \$40 million toward the construction of a conference center, which would be built in accordance with the attached timeframes. Of course, this is contingent upon City of Troy voter approval to convey property on the Civic Center site for the conference/hotel facility. I have enclosed two market studies for your perusal and Doug Smith will coordinate a meeting with your office early in 2004 to review the economic model.

Mr. Don Jakeway, Director
MICHIGAN ECONOMIC DEVELOPMENT CORPORATION
December 15, 2003

In closing, I wish to thank Senator Shirley Johnson for arranging this meeting. Shirley, your advocacy for the City of Troy will keep this community vibrant for years to come.





























Very truly yours,

John Szerlag,
City Manager

JS/mr\2003\Thank You to Jakeway

c: Senator Shirley Johnson
Brian O'Connell, Chief of Staff
Dominic Pallone, Intern
Representative John Pappageorge
Mayor Matt Pryor
City of Troy Council Members
James McBryde, MEDC
Troy Real Estate & Development Director Doug Smith
Keith Pretty, President, Walsh College

PROPOSED CIVIC CENTER DEVELOPMENT TIMELINE

| ID | | Task Name | 2003 | | | | | 2004 | | | | 2005 | | | | 2006 | | | | 2007 | | | | 2008 | | | | 2009 | | |
|----|---|---|-------|-------------|-------------|-------|-------|-------|-------|-------|-------|-------|-------------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|
| | | | Qtr 4 | Qtr 1 | Qtr 2 | Qtr 3 | Qtr 4 | Qtr 1 | Qtr 2 | Qtr 3 | Qtr 4 | Qtr 1 | Qtr 2 | Qtr 3 | Qtr 4 | Qtr 1 | Qtr 2 | Qtr 3 | Qtr 4 | Qtr 1 | Qtr 2 | Qtr 3 | Qtr 4 | Qtr 1 | Qtr 2 | Qtr 3 | Qtr 4 | Qtr 1 | Qtr 2 | Qtr 3 |
| 1 |  | CITY COUNCIL APPROVES LETTER OF INTENT AND RECOMMENDED LIST OF DEVELOPERS | | 2/17 2/17 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2 |  | CITY MANAGEMENT MEETS WITH DEVELOPERS | | 2/18 | 3/14 | | | | | | | | | | | | | | | | | | | | | | | | | |
| 3 |  | DEVELOPERS RETURN LETTERS OF INTENT AND ECONOMIC FEASABILITY | | 3/14 | 4/4 | | | | | | | | | | | | | | | | | | | | | | | | | |
| 4 |  | PRESENT RESULTS TO COUNCIL AND INSTRUCT STAFF TO DRAFT BALLOT LANGUAGE TO SELL UP TO 11 ACRES | | | 4/28 4/28 | | | | | | | | | | | | | | | | | | | | | | | | | |
| 5 |  | ELECTIONS HELD ON BALLOT PROPOSAL | | | | | | 2/4 | 4/5 | | | | | | | | | | | | | | | | | | | | | |
| 6 |  | COMMITMENT FROM STATE OF MICHIGAN | | | | | | | | 10/11 | 9/1 | | | | | | | | | | | | | | | | | | | |
| 7 |  | COMMITMENT FROM OAKLAND COUNTY | | | | | | | | 10/11 | 9/1 | | | | | | | | | | | | | | | | | | | |
| 8 |  | IN HOUSE RFP | | | | | | | | 11/1 | 3/1 | | | | | | | | | | | | | | | | | | | |
| 9 |  | EXTERNAL RFP | | | | | | | | | | 3/1 | 6/1 | | | | | | | | | | | | | | | | | |
| 10 |  | ISSUE RFP | | | | | | | | | | | 7/1 7/1 | | | | | | | | | | | | | | | | | |
| 11 |  | RFP RETURN | | | | | | | | | | | 9/5 9/5 | | | | | | | | | | | | | | | | | |
| 12 |  | AWARD RFP | | | | | | | | | | | 11/1 11/1 | | | | | | | | | | | | | | | | | |
| 13 |  | NEGOTIATE CONTRACT | | | | | | | | | | | 11/1 | 5/1 | | | | | | | | | | | | | | | | |
| 14 |  | SITE PLAN PERMITS | | | | | | | | | | | | | | 5/2 | 11/2 | | | | | | | | | | | | | |
| 15 |  | CONSTRUCTION | | | | | | | | | | | | | | | 6/2 | 7/2 | | | | | | | | | | | | |
| 16 |   | <u>DDA BONDING CAPACITY 2003-2004 *</u> | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 17 |   | <u>DDA BONDING CAPACITY 2004-2005 *</u> | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 18 |   | <u>DDA BONDING CAPACITY 2005-2006*</u> | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 19 |   | <u>DDA BONDING CAPACITY 2006-2007 *</u> | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 20 |   | <u>DDA BONDING CAPACITY 2007-2008 *</u> | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 21 |   | <u>DDA BONDING CAPACITY 2008-2009 *</u> | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 22 |  | * DDA BONDING CAPACITY DOES NOT INCLUDED ANY NEW DEVELOPMENT ON THE CIVIC CENTER SITE OR ANYWHERE ELSE IN THE DDA DISTRICT. IT IS BASED ON A ROUGH ESTIMATE OF A 3% INCREASE IN THE TAXABLE VALUE EACH YEAR | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

CITY OF TROY
TRAVEL EXPENSE REPORTName: Dave LambertPosition: CouncilmemberOther Employees Included in Request: Matt Pryor and Robin BeltraminiTrip Destination Nashville, TNDate From: 12/8/2003 To: 12/13/2003Purpose of Trip: National League of Cities Meeting

| Items | Sun | Mon | Tues | Wed | Thurs | Fri | Sat | TOTAL |
|---|-----|-----------------------|------------------|-----------------|------------------|------------------|------------------|--------------|
| Dates: | | 8-Dec | 9-Dec | 10-Dec | 11-Dec | 12-Dec | 13-Dec | |
| Miles | | | | | | | | |
| (Personal Car) | | 42.00 | | | | | 42.00 | 84.00 miles |
| Enter Current Mileage | | | | | | | | |
| Rate: \$ 0.36 /mile | | \$15.12 | | | | | \$15.12 | \$30.24 |
| City Car Expense | | | | | | | | |
| (Details on Bottom) | | | | | | | | |
| Registration | | ✓ 810.00 | | | | | | \$810.00 |
| Room | | 108.54 | 108.54 | 108.54 | 108.54 | 108.54 | | |
| (Attach all Receipts) | | | | | | | -542.70 | \$542.70 ✓ |
| Meals (Include tips and taxes. Note meals included with registration) | | | | | | | | |
| Breakfast: | | | | | | | | |
| Lunch: | | | ✓ 6.11 inc | | | ✓ 4.91 | ✓ 4.92 | \$15.94 |
| Dinner: | | | ✓ 33.00 | ✓ 4.36 | ✓ 10.00 | ✓ 108.00 | | \$155.36 |
| Other | | ✓ 40.00 | | | | | | \$40.00 |
| Detail, Explain Below | | | | | | | | |
| Additional Other | | ✓ 183.50 | | | | | ✓ 25.00 | \$208.50 |
| Detail, Explain Below | | | | | | | | |
| TOTAL EXPENSE | | 1,157.16 -1,048.62 | 147.65 -39.11 | 112.90 -4.36 | 118.54 -10.00 | 221.45 112.91 | 45.04 -587.74 | \$1,802.74 ✓ |

Details of City Car Expense

| | |
|--|--|
| Total Mileage | |
| Gasoline/Oil Purchased (Attach Receipts) | |
| Maintenance Work (Attach Receipts) | |
| Parking/Storage | |
| Other () | |
| Total | |

| | |
|-----------------------|----------------|
| Cash Advanced | \$1,536.20 ✓ |
| Balance Due Employee | \$266.54 ✓ JLR |
| (or) Balance Due City | |

Requested By

Department Head

Approved - Human Resources Director

Approved - Financial Services Director

Date

Date

Date

Date

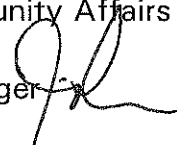
Notes and Explanations:

\$183.50 is for airfare. \$40 on 12/8 was for roundtrip transportation from airport to hotel for Lambert and Pryor. \$108 on 12/12 was for dinner with Beltramini and Pryor. \$25 on 12/13 was for parking at Metro Airport.

Charge to: Council's Education & Training AccountDept. Account # 102.7960

December 23, 2003

To: John Lamerato, Assistant City Manager/Finance
Gary A. Shripka, Assistant City Manager/Services
Doug Smith, Real Estate & Development Director
Nino Licari, City Assessor
Lori Bluhm, City Attorney
Tonni Bartholomew, City Clerk
Cynthia Stewart, Community Affairs Director

From: John Szerlag, City Manager 

Subject: Brochure Explaining Ballot Issue Relative to Conference Center/Hotel Facilities

As discussed at staff meeting, please respond to all questions that are brought to our attention relative to the above referenced issue. In addition, pose questions and answers which you believe are germane to educating the public in this regard. Once all issues are addressed, I'll share them with Lori Bluhm to assure the test of content neutrality is met. Next, I'll present the content neutral text to City Council for their review/approval at the January 26, 2004 council meeting.

Our target date to have the brochures assembled and mailed to residents will be during the week of March 1, 2004. Cindy Stewart will be accountable to meet this objective. So too, Tonni Bartholomew and John Lamerato will also work on providing content neutral text explaining the balance of ballot issues that will go before the voters on April 5, 2004.

Please feel free to contact me should you have any questions. If not, engage.

January 2, 2004

TO: The Honorable Mayor and City Council Members

FROM: John Szerlag, City Manager

SUBJECT: Study Item Topics

Time permitting, we would like to discuss the following:

- 1) IT updates – Information Technology Director Gert Paraskevin will identify the latest developments in information technology. The focus will be on Hanson Information Technology and geographic information systems (GIS).